

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; EXPANDING THE SCOPE OF EMERGENCY MEDICAL SERVICES FUNDED BY THE DEPARTMENT OF HEALTH; AMENDING SECTIONS OF THE EMERGENCY MEDICAL SERVICES FUND ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-10A-2 NMSA 1978 (being Laws 1978, Chapter 178, Section 2, as amended) is amended to read:

"24-10A-2. PURPOSE OF ACT. --The purpose of the Emergency Medical Services Fund Act is to make money available to municipalities and counties for use in the establishment and enhancement of local emergency medical services, statewide emergency medical services and trauma services in order to reduce injury and loss of life."

Section 2. Section 24-10A-2.1 NMSA 1978 (being Laws 1994, Chapter 61, Section 2) is amended to read:

"24-10A-2.1. DEFINITIONS. --As used in the Emergency Medical Services Fund Act:

A. "bureau" means the injury prevention and emergency medical services bureau of the public health division of the department;

B. "committee" means the statewide emergency medical services advisory committee appointed pursuant to

the provisions of Section 24-10B-7 NMSA 1978;

C. "department" means the department of health;

D. "fund" means the emergency medical services fund;

E. "local recipient" means an ambulance service, medical rescue service, fire department rescue service, air ambulance service or other prehospital care provider:

(1) that routinely responds to an individual's need for immediate medical care in order to prevent loss of life or aggravation of physical or psychological illness or injury;

(2) whose application for funding through the Emergency Medical Services Fund Act is sponsored by a municipality or county; and

(3) that meets department guidelines concerning personnel training, use of bureau-approved run forms, participation in mutual aid agreements and medical control;

F. "municipality" means an incorporated city, town or village; and

G. "secretary" means the secretary of health. "

Section 3. Section 24-10A-3 NMSA 1978 (being Laws 1978, Chapter 178, Section 3, as amended) is amended to read:

"24-10A-3. EMERGENCY MEDICAL SERVICES FUND CREATED-- FUNDING. --

A. The "emergency medical services fund" is created in the state treasury. Money in the fund shall not revert at the end of any fiscal year. Money appropriated to the fund or accruing to it through gifts, grants, fees or bequests shall be deposited in the fund. Interest earned on investment of the fund shall be credited to the general fund. Disbursements from the fund shall be made upon warrants drawn by the secretary of finance and administration pursuant to vouchers signed by the secretary or his authorized representative.

B. The bureau shall administer the fund and provide for the distribution of the fund pursuant to the Emergency Medical Services Fund Act and rules adopted pursuant to the provisions of that act.

C. In any fiscal year, no less than seventy-five percent of the money in the fund shall be used for the local emergency medical services funding program to support the cost of supplies and equipment and operational costs other than salaries and benefits for emergency medical services personnel. This money shall be distributed to municipalities and counties on behalf of eligible local recipients, using a formula established pursuant to rules adopted by the department. The formula shall determine each municipality's and county's share of the fund based on the relative geographic size and population of each county. The formula shall also base the distribution of money for each

municipality and county on the relative number of runs of each local recipient eligible to participate in the distribution.

D. In any fiscal year, no more than:

(1) twenty-two percent of the fund may be used for emergency medical services system improvement projects, including the purchase of emergency medical services vehicles, local and statewide emergency medical services system support projects, the statewide trauma care system program and the emergency medical dispatch agency support program; and

(2) three percent of the fund may be used by the bureau and emergency medical services regional offices for administrative costs, including monitoring and providing technical assistance.

E. In any fiscal year, money in the fund that is not distributed pursuant to the provisions of Subsection D of this section may be distributed pursuant to the provisions of Subsection C of this section."

Section 4. Section 24-10A-4 NMSA 1978 (being Laws 1978, Chapter 178, Section 4, as amended) is amended to read:

"24-10A-4. FUNDING PROGRAM - PURPOSE - - DETERMINATION OF NEEDS. - -

A. The "local emergency medical services funding program" is created. The program shall provide for the:

(1) establishment or enhancement of local emergency medical services, including the use of advanced technology equipment;

(2) operational costs other than salaries and benefits of local emergency medical services personnel;

(3) purchase, repair and maintenance of emergency medical services vehicles, equipment and supplies, including the use of advanced technology equipment; and

(4) training and licensing of local emergency medical services personnel.

B. Annually on or before June 1, the bureau shall consider and determine, in accordance with the formula adopted by rule of the department, the amount of distribution to municipalities and counties that have applied for money from the fund. In making its determination, the bureau shall ensure that no municipality or county receives money from the fund for the purpose of accumulation as defined by rule of the department, except as waived by the bureau in writing for good cause shown. The bureau shall also ensure that each local recipient is in compliance with the rules of the department. "

Section 5. Section 24-10A-4.1 NMSA 1978 (being Laws 1994, Chapter 61, Section 10, as amended) is amended to read:

"24-10A-4.1. EMERGENCY MEDICAL SERVICES SYSTEM IMPROVEMENT PROJECTS. --

A. Applications for emergency medical services system improvement projects shall be submitted separately from applications for the local emergency medical services funding program. The bureau shall award emergency medical services system improvement projects after a review of the applications. The awards shall be made based on a priority ranking, demonstrated need for funding and recommendations from the committee. Money awarded shall be used in compliance with applicable rules.

B. Applications for funding to purchase emergency medical services vehicles shall be submitted by municipalities or counties on behalf of local recipients. The municipality or county shall commit to providing matching funds of at least twenty-five percent of the cost of purchasing the vehicle.

C. Applications for funding of local and statewide projects shall demonstrate the need for funding and a plan to use the funding to enhance or better integrate local emergency medical services systems or to improve the health, safety and training of emergency medical services technicians statewide.

D. A statewide trauma care system program shall be developed and determined by the bureau in consultation with the committee. The statewide trauma care system program shall provide for the support, development and expansion of the statewide trauma care system in accordance

with rules adopted by the department.

E. The emergency medical dispatch agency support program shall fund allowable costs of dispatch agencies that meet criteria established pursuant to rules by the department. "

Section 6. Section 24-10A-6 NMSA 1978 (being Laws 1978, Chapter 178, Section 6, as amended) is amended to read:

"24-10A-6. DISTRIBUTION OF FUND. -- On or before August 31, the local emergency medical services funding program distribution shall be made to each municipality and county as determined by the department. No more than one percent of the amount appropriated to the local emergency medical services funding program shall be distributed from the fund to the benefit of a single local recipient in any fiscal year pursuant to the local emergency medical services funding program, to ensure that appropriate emergency medical service is available statewide. "

Section 7. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 2001. _____