

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 1063

(Senator Pugh, *et al.*)

Finance

Health and Government Operations

Joint Oversight Committee on Emergency Medical Services

This bill establishes a Joint Oversight Committee on Emergency Medical Services (EMS) to provide legislative oversight of EMS in the State.

The bill terminates September 30, 2013.

Fiscal Summary

State Effect: The Department of Legislative Services (DLS) can handle the staffing requirement with existing budgeted resources; however, limited staff resources may be diverted from other responsibilities. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The joint oversight committee consists of eight members – four members of the Senate, appointed by the President of the Senate (three from the Senate Finance Committee and one from the Senate Budget and Taxation Committee), and four members of the House of Delegates, appointed by the Speaker of the House (three from the House Health and Government Operations Committee and one from the House Appropriations Committee). From among the members, the President has to appoint a Senate chair and the Speaker has to appoint a House chair. The Senate and House chairs must annually alternate as the presiding chair and the co-chair. The committee will be staffed by DLS.

The joint oversight committee has to (1) monitor helicopter procurement; (2) review protocol changes for EMS field providers and ensure that related training and examination requirements are adequate; (3) review efforts by the Maryland Institute for Emergency Medical Services Systems (MIEMSS) to address recommendations of the Expert Panel to Review Helicopter Utilization in Scene Transport of Trauma Patients; (4) monitor specified ongoing safety improvements for State medical evacuation (Medevac) helicopters; and (5) review specified updates, studies, and reports requested in the March 2009 report of the House EMS Workgroup.

In cooperation with MIEMSS, the EMS Board, the State EMS Advisory Council, and the Maryland State Police, the joint oversight committee must examine the long-term viability of the Maryland Emergency Medical Services Operating Fund (MEMSOF) and develop a long-term financing plan for EMS. The committee must report its findings and recommendations by December 1 of each year.

Current Law/Background:

Maryland State Police Aviation Command: Since 1970, the Maryland State Police Aviation Command (MSPAC) has operated a system of aircraft to provide emergency Medevac services and other flight services to the State's citizens. Special funds from MEMSOF support Medevac and search and rescue functions, while general funds support law enforcement and homeland security functions. For almost 10 years, MSPAC operated with a fleet of 12 helicopters and 2 fixed winged aircraft. As a result of the September 2008 crash of Trooper 2, MSPAC operates with 11 helicopters.

Recent Developments Regarding Medevac Helicopters: Following the fatal Medevac crash, MIEMSS convened an Expert Panel to Review Helicopter Utilization in Scene Transport of Trauma Patients in November 2008. The panel noted that, although there are other public agencies providing Medevac services in the United States, Maryland's model is unique as the only statewide and State-provided system. Maryland's system is also the only one to separate a primary scene provider agency, operating at an advanced Medevac configuration, from other agencies that are primarily providing inter-facility transports.

Recommendations issued by the panel indicate that MSPAC should take the necessary steps to achieve accreditation by the Commission on Accreditation of Medical Transport Services (CAMTS). The panel also recommended that all Medevac operations be conducted under Part 135 of Federal Aviation Administration (FAA) regulations – the same standard under which commercial air taxis operate.

CAMTS accreditation is a program of voluntary compliance with standards that demonstrate the ability of providers to deliver service of a specific quality. In order to

achieve CAMTS accreditation, MSPAC must be Part 135 certified and operate with two medical crew members per flight. MSPAC currently operates under Part 91 of FAA regulations and with only one medical care provider per flight. In order to achieve and maintain Part 135 certification, MSPAC estimates that it will cost a total of \$415,000 in one-time costs and \$645,000 in ongoing costs. MSPAC recently received approval from the State EMS Board to make the changes necessary to be in compliance with Part 135 and is awaiting a determination regarding CAMTS accreditation. MSPAC estimates that it would cost an additional \$2.3 million to hire 40 additional paramedics. Eighty percent of the costs for Part 135 certification and CAMTS accreditation would be allocated to MEMSOF. The Part 135 accreditation process is anticipated to take at least one year to complete. CAMTS accreditation cannot begin until Part 135 certification is complete.

As a safety measure, MSPAC recently requested funding from the EMS Board for new equipment (*e.g.*, night vision imaging systems, terrain awareness warning systems, and a flight simulator). Additionally, MSPAC requested funding to begin the initial hiring of Medevac copilots. MSPAC reports that hiring an additional pilot will substantially increase the safety of each Medevac flight. While the EMS Board has approved MSPAC's request for new safety equipment, the request to add an additional pilot to each flight is still under review.

Funding for Helicopter Replacement: Eight of MSPAC's 11 helicopters are approximately 20 years old. The age of the fleet requires additional maintenance, which reduces the number of helicopters available for missions. Further, the current fleet lacks many state-of-the-art safety features that could provide enhanced capabilities.

The Administration proposes replacing eight helicopters over a five-year timeframe. The fiscal 2010 *Capital Improvement Program* includes \$40.0 million for the purchase of two Medevac helicopters. The Maryland Department of Transportation issued a request for proposals for Maryland State Police helicopters on January 30, 2009. Proposals were due on March 19, 2009, but the submission deadline was extended until mid-April. A contract could be awarded as soon as the summer of 2009.

House of Delegates Emergency Medical Services Workgroup: In January 2009, the Speaker of the House of Delegates appointed a 14-member House Emergency Medical Services Workgroup. The workgroup has three subcommittees – medical protocols, procurement, and system governance. In its final report, submitted March 10, 2009, the workgroup adopted numerous recommendations regarding multiple aspects of the State EMS system. With regards to helicopter EMS delivery, the workgroup endorsed the continued multi-mission capability of MSPAC and recommended that MSPAC continue to coordinate with commercial carriers to provide inter-hospital transports and backup scene transport when necessary.

Additional Comments: House Bill 265 of 2009 establishes a similar Joint Oversight Committee on Emergency Medical Services.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Institute for Emergency Medical Services Systems, Department of State Police, Department of Legislative Services

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