

MIEMSS 2022 Legislative Update

Below is the final report / summary of various bills of interest considered by the General Assembly during the 2022 Session which concluded at midnight on Monday, April 11th.

Bills Passed

HB 286 – Emergency Medical Services – Paramedics – Immunization Administration – Effective Date – Extends until January 1, 2025, the authorization for paramedics to administer flu and COVID-19 immunizations as part of a population health outreach effort conducted by a health department or hospital / hospital system. Effective date: July 1, 2022.

SB 295/HB 44 – Maryland Medical Assistance Program – Emergency Service Transporters – Reimbursement – Beginning in FY23, increases the Medicaid (MA) payment to EMS from a flat fee of \$100 to a flat fee of \$150; requires MA to reimburse EMS for patients who are treated but not transported; and requires MA to reimburse EMS for Mobile Integrated Health services provided to a MA recipient in an amount that is at least \$150 per interaction to include health care services and transport of a recipient with a low-acuity condition to urgent care services. MDH, in coordination with MIEMSS, is to submit a report on the adequacy of MA reimburse to EMS, including best practices from other states; report due on or before November 1, 2024. MIEMSS is also to study the interfacility transport system (emergency and nonemergency) for MA patients, including the process for responding to referral requests in a timely manner, the adequacy of reimbursement related to costs, and performance standards and report findings and recommendations to the Health Committees on or before December 31, 2022; this requirement is similar, but not identical to the study requirements contained in SB 290 (see below).

HB 581/SB 446 – Public Safety – Fire, Rescue, or Emergency Medical Services Entities – Peer Support Programs – Prohibits disclosure of the contents of written or oral communication regarding a peer support counseling session by a peer support specialist or a peer support participant. The Behavioral Health Administration (BHA), in consultation with MIEMSS, must report by October 1, 2024, on best practices and professional standards for a peer support counseling program. BHA must make the report and list of peer support specialist training programs available on its website. Effective date: October 1, 2022.

HB 930 – Senator William H. Amoss Fire, Rescue, and Ambulance Funds – Property Acquisition and Construction of Facilities – Authorizes that State money provided to the Amoss Fund may be used to acquire land for the purpose of rehabilitation or construction of a fire, rescue or ambulance facility. Effective date: October 1, 2022.

HB 408 / SB 394 – Statewide Targeted Overdose Prevention (STOP) Act of 2022 – Among other things, modifies existing law to authorize an EMT, CRT or Paramedic to offer an opioid overdose reversal drug to an individual received treatment for a nonfatal drug overdose or was evaluated by a crisis evaluation team and requires MDH to purchase and provide opioid overdose reversal drugs to providers who are required to offer them. Effective date: July 1, 2022.

SB 633 Public Safety – 911 – Emergency Telephone System – Alterations. Among other things, establishes specified rights for 9-1-1 specialists related to occupational well-being; requires counties to classify and pay 9-1-1 specialists in a certain manner; modifies the membership and responsibilities of the 9-1-1 Board; and repeals the limit on the maximum charge for the county 9-1-1 fee. Effective date: October 1, 2022.

HB 129/SB 12 – Behavioral Health Crisis Response Services and Public Safety Answering Points – Modifications - Modifies existing law to require that by December 1, 2022, each PSAP must develop written policies on procedures for when a call is received that includes someone suffering an active mental health crisis. Policy must cover (1) triage of the call; (2) resources available for dispatch; (3) procedures for making a dispatch decision; and (4) training for staff in implementing the procedures. In awarding grants from the Behavioral Health Crisis Response Program, MDH must require that proposals include response standards that prioritize mobile crisis units over law enforcement when responding to individuals in crisis. Effective date: October 1, 2022.

SB 290 / HB 300 – Budget Bill – Includes language requiring MIEMSS to study and report to the budget committees on emergency and nonemergency interfacility transportation for Medicaid patients, including the capacity under the current referral process, response time to referral requests, costs under the current system, and recommendations for improvements to the current system. Report due date: December 1, 2022.

HB 836– Public Schools – Student Athletics – Requirements and Emergency Action Plans (Elijah Gorham Act). Requires each middle and high school to have venue-specific emergency action plans for operation and use of AEDs and heat acclimatization and include coordination of care for other injuries, e.g., closed head injury and cervical spine injuries. Effective date: July 1, 2022.

Bills Failed / Withdrawn / No Movement

SB 70 / HB 776 – Emergency Medical System Plan – Guidelines for Emergency Medical Services – Law Enforcement Canines – Would have required that the EMS Plan be modified to include guidelines authorizing EMS to provide services to a canine injured in the line of duty that is owned by or whose services are employed by a law enforcement agency, including providing care, transport of the canine to a designated veterinary facility and services during transport.

SB 515 / HB 1438 – State Emergency Medical Services Board – Park Services Associates – Certification as Emergency Medical Responders – Would have required the EMS Board to issue temporary EMR certification to certain personnel within the Dept of Natural Resources who submitted proof of training and to establish procedures for these personnel to obtain permanent EMR certification.

HB 439 / SB 374 – Workers’ Compensation – Occupational Disease Presumptions – 911 Specialists. Would have established a workers’ compensation occupational disease presumption for 9-1-1 specialists who are diagnosed with post-traumatic stress disorder by a licensed psychologist or psychiatrist.

HB 177 – 9-1-1 Registry Program – Autism and Other Special Needs – Would have established a 9-1-1 registry program to authorize the registry of individuals with special needs with the 9-1-1 system to alert first responders that the individual may be nonverbal; oversensitive to sirens; unaware of danger; or prone to elope.

HB 676 – Handgun Permits – Qualifications – High-Risk Occupations – Would have established that employment in certain occupations constituted a reason for issuance of a handgun permit, including a paid or volunteer firefighter or EMT or a rescue squad member.

HB 1109/SB 751 – First Responders and Emergency Responders – Definition – 911 Dispatchers Included – Would have established or expanded the definitions of “first responder” and “emergency responder” in

various provisions of state law (Criminal Law, Transportation, Education, Health-General, Human Services, and Public Safety Articles) to include 9-1-1 dispatchers, operators and specialists.

HB 1003 / SB 749 Public Safety – 311 systems – Nonemergency Information – Would have established the Maryland 3-1-1 nonemergency phone system under Maryland Dept of Emergency Management to establish 3-1-1 as the primary number for information and referral on nonemergency government services, resources, and information.

HB 1154 – Criminal Law – Felony Second-Degree Assault – Emergency Medical Care Workers – Would have expanded the felony second degree assault law to include intentional physical injury to a worker providing emergency and related services in an ED or freestanding facility.

HB 1243 – Public Health – Rural Nonemergency Medical Transportation Program – Would have established a Rural Nonemergency Medical Transportation Program for hospitals to coordinate transportation by a nonprofit organization to/from medical services for certain eligible individuals.

SB 10 Workers’ Compensation – COVID-19 Occupational Disease Presumption – Would have established an occupational disease presumption for a first responder, public safety employee or health care worker who tested positive for or was diagnosed with COVID-19.

HB 1066 Vehicle Laws – Lighting – Privately Owned Vehicles of Volunteer Fire Company Members – Would have authorized specified officers of a volunteer fire company and the fire police of a volunteer fire company to equip their privately owned vehicles with red or red and white lights/signal devices.

SB 294 – Health – Automated External Defibrillator, First Aid, and CPR – Requirements for Health Clubs – Would have required each health club to comply with the requirements of the Public Access AED Program and EMS Board, and, when open for business, to have an employee on premises who is certified in first aid and CPR.

SB 745 Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders – Exception – Would have exempted certain individuals from the requirement to wear protective head gear while operating or riding on a motor cycle.