ASSEMBLY, No. 2127

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman P. CHRISTOPHER TULLY
District 38 (Bergen and Passaic)
Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)

SYNOPSIS

Revises eligibility requirements for reimbursement from "Emergency Medical Technician Training Fund."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

AN ACT concerning the "Emergency Medical Technician Training Fund" and amending P.L.1992, c.143.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of P.L.1992, c.143 (C.26:2K-57) is amended to read as follows:

4. a. (1) The commissioner, in accordance with recommendations adopted by the council, and within the limits of those monies in the fund, shall annually reimburse any **[**private agency, organization or entity which is certified by the commissioner to provide training and testing for**]** volunteer **[**ambulance, first aid and rescue squad personnel who are seeking emergency medical technician-ambulance, or EMT-A, or emergency medical technician-defibrillation, or EMT-D, certification or recertification, or an entity which provides an educational program in the administration of epinephrine auto-injector devices that is approved by the commissioner pursuant to P.L.2003, c.1 (C.26:2K-47.1 et al.), and**]** emergency medical technician or applicant for emergency medical technician certification for the costs of training and certification as an emergency medical technician for which that **[**entity**]** individual is not otherwise reimbursed.

(2) An individual applying to the commissioner for reimbursement from the fund pursuant to paragraph (1) of this subsection shall certify to the commissioner that the individual will, for the duration of the certification period for which the individual is requesting reimbursement, not receive any wage, salary, payment, or reimbursement for providing emergency medical services, including a wage or salary pursuant to subsection d. of this section, and shall provide such documentation as the commissioner shall require to demonstrate service as a volunteer emergency medical technician.

(3) The commissioner shall require any individual who receives reimbursement from the fund pursuant to paragraph (1) of this subsection to report to the commissioner any wage, salary, payment, or reimbursement that the individual receives for providing emergency medical services during the certification period for which reimbursement was provided, and shall require that individual to remit to the commissioner the full amount of the reimbursement provided from the fund for that certification period. An individual who receives reimbursement from the fund who fails to report a wage, salary, payment, or reimbursement for providing emergency medical services, or who fails to remit the full amount

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

of the reimbursement that was provided for training and certification when required to do so pursuant to this subsection, shall be liable to a civil penalty of up to $2,500 and shall be permanently ineligible for any future reimbursement from the fund. The civil penalty shall be collected and enforced by summary proceedings under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

[The priority for reimbursement from the fund to an agency, organization or entity for training and testing of volunteer ambulance, first aid and rescue squad personnel shall be in the following order: EMT-A certification, EMT-A recertification, EMT-D certification, EMT-D recertification and certification to administer epinephrine auto-injector devices pursuant to P.L.2003, c.1 (C.26:2K-47.1 et al.).**]**

b. (1) An ambulance, first aid and rescue squad which is certified by the commissioner to provide training and testing for applicants for certification or recertification as an emergency medical technician shall be eligible for reimbursement from the fund for the costs of training and testing squad personnel seeking certification or recertification as an emergency medical technician for which the squad is not otherwise reimbursed, provided that:

(a) the squad shall be eligible for reimbursement only for the costs of training and testing a member of the squad who serves as a volunteer emergency medical technician during that member's entire certification period; and

(b) the squad does not receive any payment or other reimbursement for emergency medical services provided by volunteer emergency medical technician squad members.

(2) An ambulance, first aid and rescue squad that receives payment or reimbursement for emergency medical services provided by a volunteer emergency medical technician for whom it received reimbursement from the fund pursuant to paragraph (1) of this subsection shall be deemed ineligible for any future reimbursements from the fund for a period of 10 years commencing from the date of the violative payment or reimbursement. During this period, volunteer emergency medical technician members of the squad shall continue to be eligible for individual reimbursement from the fund pursuant to subsection a. of this section, provided the member meets the requirements of that subsection and the member's training and testing is provided by an entity other than the member's squad.

c. As used in this section, "volunteer emergency medical technician" means an emergency medical technician who is not paid or reimbursed by any entity for providing emergency medical services as part of an ambulance, first aid or rescue squad, regardless of whether the squad receives payment or reimbursement for providing emergency medical services.

(cf: P.L.2003, c.1, s.9)

2. The Commissioner of Health shall, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations as shall be necessary to implement the provisions of this act.

3. This act shall take effect 180 days after the date of enactment.

STATEMENT

This bill revises the requirements to receive reimbursement from the "Emergency Medical Technician Training Fund."

Currently, any private agency, organization, or entity which is certified by the commissioner to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking certification or recertification as an emergency medical technician (EMT) may be reimbursed from the fund for any costs associated with the training and testing of volunteer EMTs that are not otherwise reimbursed. Volunteer ambulance, first aid and rescue squads are eligible for reimbursement from the fund if the squad does not receive any payment for the provision of emergency medical services, regardless of whether the individual EMTs on the squad are paid by the squad for their services.

This bill would provide that EMTs and applicants for EMT certification may apply directly to the Department of Health (DOH) for reimbursement from the fund, provided the EMT or applicant will serve on a volunteer basis throughout the 36-month certification period. The bill defines a volunteer EMT as an EMT that is not paid or reimbursed by any entity for providing emergency medical services as part of an ambulance, first aid or rescue squad, regardless of whether the squad receives payment or reimbursement for providing emergency medical services.

An EMT requesting reimbursement from the fund will be required to certify that the EMT will not be paid or receive other reimbursement for providing emergency medical services during the certification period for which reimbursement is requested. If the EMT receives any compensation for providing services during the certification period, the EMT will be required to report the compensation and remit the entire reimbursement amount back to the DOH. An EMT receiving reimbursement from the fund that fails to report compensation or that fails to remit the entire reimbursement amount when required to do so will be liable to a civil penalty of up to $2,500 and will be permanently ineligible to receive any future reimbursements from the fund.

The bill additionally allows any ambulance, first aid and rescue squads to be reimbursed from the fund for training and testing volunteer EMT members of the squad for certification or

recertification, provided that the squad does not receive any payment or reimbursement for emergency medical services provided by its volunteer members. In the event that a squad receives payment for emergency medical services provided by a volunteer member of the squad, the squad will be deemed ineligible for future reimbursements from the fund for a period of 10 years. During this period, the volunteer members of the squad will continue to be eligible for individual reimbursements pursuant to the bill, provided that the member's training and testing is provided by an entity other than the member's squad.

It is the sponsor's belief that this legislation will encourage people to serve as volunteer EMTs by minimizing the costs of training and certification, while encouraging first aid, ambulance, and rescue squads to use volunteer EMTs while retaining the ability to bill patients for emergency medical services provided.