

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5721-07
Bill No.: Truly Agreed To and Finally Passed CCS for HCS for SS for SB 870
Subject: Ambulances and Ambulance Districts; Education, Higher; Emergencies; Highway Patrol; Health Care; Health Care Professionals; Department of Health and Senior Services; Law Enforcement Officers and Agencies; Medical Procedures and Personnel; Mental Health; Retirement Systems and Benefits - General; Taxation and Revenue - General
Type: Original
Date: June 7, 2018

Bill Summary: This proposal modifies provisions of law relating to emergency services.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
General Revenue	\$62,378	\$60,165	\$59,869
Total Estimated Net Effect on General Revenue	\$62,378	\$60,165	\$59,869

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Criminal Records	\$30,600	\$30,600	\$30,600
Total Estimated Net Effect on Other State Funds	\$30,600	\$30,600	\$30,600

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 22 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2019	FY 2020	FY 2021
Local Government	\$0 or Unknown	\$0 or Unknown	\$0 or Unknown

FISCAL ANALYSIS

ASSUMPTION

§44.098

In response to similar legislation from this year, HCS for HB 2062, officials at the **Joplin Police Department (JPD)** assumed there would be no fiscal impact on the JPD provided the home agency of the responding officer would still bear the responsibility of workers compensation and liability. If this is incorrect, then the workers compensation and liability portion of the proposal in section 44.098.5 would fall on the agency requesting the assistance. In this case, this proposal would have a negative fiscal impact on the JPD if assistance is requested and one of the responding officers from another agency was hurt or sued while assisting the JPD.

Oversight inquired the Department of Labor and Industrial Relations (DOLIR) for their interpretation of section 44.098.5. According to DOLIR, the liability and workers' compensation portion of this section would lie with the home agency. Therefore, Oversight will show no direct fiscal impact for this proposal.

In response to similar legislation from this year, HCS for HB 2062, officials at the **Jasper County Sheriff's Department** assume no fiscal impact from this proposal.

Officials at the counties of Jasper and Newton did not respond to **Oversight's** request for fiscal impact.

§§99.848, 135.090, 190.094, 190.100, 190.103, 190.105, 190.131, 190.142, 190.143, 190.147, 190.165, 190.173, 190.196, 190.246, 190.900, 190.903, 190.906, 190.909, 190.912, 190.915, 190.918, 190.921, 190.924, 190.927, 190.930, 190.933, 190.936, 190.939, 191.630

Officials at the **Office of Administration's Budget and Planning Division** section 190.142 changes the responsible party for emergency management services personnel background checks from DHSS to the individual applicant. This will increase total state revenue and impact the calculation pursuant to Article X, Section 18(e). B&P defers to the DHSS and DPS for the estimated impact.

In response to a previous version, officials at the **St. Louis County Police Department (STLPD)** assumed this bill would require the STLPD to complete Memorandums of Understanding (MOU) with all local Fire Departments. This feat would cost significant man hours to develop the MOU, have them revised by legal counsel, have them mailed to each Fire Department, and have them returned and signed by Police Department personnel.

ASSUMPTION (continued)

The STLPD would also have to modify policy, which again, would require man hours to complete and at least 1 hour of training for all staff, both commissioned and professional staff. The average hourly pay for a St. Louis County Police Department employee is \$46.10. There are currently 1206 employees. The cost for one hour of training would be \$55,596.60. There would be a \$50 an hour cost to develop the training that would take approximately 2 hours of development. The passage of this bill would cost, at minimum, \$55,696.60. This cost does not include the development and approval of all MOUs.

Additionally, this bill is similar to HB 1919, where St. Louis County Police Department expressed concern over the possible increase in cost from taking additional assault reports and searching for homicidal/suicidal subjects who have fled.

Oversight assumes that the STLPD is provided with core funding for training employees to handle a certain amount of activity each year. Oversight believes the training referred to above is currently a part of the employees' duties. Oversight also assumes if multiple MOUs are needed for various fire departments with the STLPD, then a basic MOU could be written and adjustments could be made as needed with the various fire departments. Oversight assumes the STLPD could absorb the costs related to this proposal.

Officials from the **Department of Health and Senior Service (DHSS)** state Section 190.142.1(2) explicitly addresses "initial licensure". However, the subparagraph also states, "Any fees due for a criminal background check shall be paid by the applicant." Therefore, DHSS interprets the language to require applicants for Emergency Medical Services (EMS) licenses to pay for the cost of background checks for both initial licensure and all subsequent license renewals. DHSS would no longer need to pay for criminal background checks for all applicants. Currently, the EMS conducts criminal background checks for all applicants through the Missouri State Highway Patrol (MSHP). In FY 2017, EMS expended approximately \$72,000 on background screenings. Based on the expenditures from 2017, there would be a positive impact to general revenue in the amount of \$72,000.

Pursuant to Chapter 190.142.1, RSMo, the EMS conducts criminal records checks for all applicants through the MSHP. DHSS assumes there will not be a significant increase in the number of background checks; therefore, current staff will be able to accommodate these.

The proposal expands the EMS investigative authority to include investigations conducted out of state. While the variables of what activity constitutes "reported conduct" and what level of responsibility the investigative authorities in the remote state will have, DHSS assumes there will not be a significant increase in the number of investigations conducted out of state; therefore, these activities will be accomplished with current staff and funding.

ASSUMPTION (continued)

The number of subpoenas issued under this section is unknown. DHSS assumes there will not be a significant number of subpoenas for attendance and testimony of witnesses or the production of evidence; therefore, these activities will be accomplished with current staff and funding.

DHSS assumes the commission will receive sufficient revenue through other sources so an annual assessment will not be imposed on the state of Missouri.

Oversight notes that DHSS' response to this bill is quite different from previous years' (i.e. HB 100 in 2017). DHSS noted that there is more data on the compact now and other states have indicated that only some minimal travel costs should be anticipated and that there has been no influx of new applicants in the other states.

In response to a previous version, officials from the **Department of Public Safety (DPS)** provided the following assumptions:

Part of Section 190.142.1 (2) states "The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, of the recognition of EMS personnel licensure interstate compact."

It should be noted that federal law requires the dissemination of criminal history information to be audited. Based on the ability for the department to share the results of a criminal record check with an emergency services licensing agency in any member state as stated in Section 192.140.1(2) the Criminal Justice Information Services Division of the Missouri State Highway Patrol would, therefore, be required to audit the member states. Due to the audit requirement, the CJIS Division would incur an unknown fiscal impact to audit the licensing agencies in the member states or dissemination would have to be prohibited.

During 2017, the Department of Health and Senior Services conducted approximately 3,400 name-based criminal record checks for Emergency Medical Technician (EMT) licensing. This number accurately reflects the number of emergency medical personnel that would be required to obtain a state and federal fingerprint-based criminal record check with the passage of this legislation. This requirement would take effect no later than five (5) years after approval of the Emergency Medical Services Compact. For purposes of this fiscal note, the MHP assumes this legislation will take effect August 28, 2018.

ASSUMPTION (continued)

The cost for a fingerprint-based background check to include state and federal open and closed records is as follows:

State fee: \$20
FBI fee: \$12 (\$2 of the federal fee is retained by the Central Repository as a pass-through fee)
Total: \$32

3,400 applicants annually X \$32 = \$108,800	
State fee portion deposited in the Criminal Records Fund = 3,400 X \$20 = \$68,000	
Federal pass through fee retained by Central Repository = 3,400 X \$2 =	<u>\$6,800</u>
Total	\$74,800

The funds currently generated as a result of the name-based checks is 3,400 X \$13 = \$44,200. Therefore, the total increase in revenue deposited in the Criminal Record System Fund (new fingerprint background check cost + federal pass through fee - existing cost of name-based check is \$30,600 (\$74,800 - \$44,200).

Oversight notes that the Recognition of EMS Personnel Licensure Interstate Compact (REPLICA) has been passed by 12 states and is now active.

In response to a previous version, officials at **St. Louis County** assumed no fiscal impact from this proposal.

In response to a previous version, officials at the **Boone County Sheriff's Department** assumed no fiscal impact from this proposal.

§§100.050, 100.059, 353.110

In response to a previous version, officials at **St. Louis County** and **Boone County** each assumed no fiscal impact to their respective entities from this proposal.

Oversight assumes this proposal would modify provisions relating to tax increment financing. Should a redevelopment plan, area or project or urban redevelopment corporation which receives tax abatement or exemption on property be amended, an ambulance or fire district will have the right to recalculate the reimbursement rate that they would receive for tax revenues. This could generate an increase of tax revenues to the ambulance and/or fire district from this proposal. Therefore, Oversight will reflect a \$0 or unknown increase in tax revenues for this proposal.

ASSUMPTION (continued)

§105.666

Officials at the **Public School & Education Employee Retirement Systems of Missouri** state there is a provision located in section 105.666, RSMo, which modifies the educational requirements for trustees of Missouri public pension plans, which includes Public School Retirement System (PSRS) and Public Education Employee Retirement System (PEERS) of Missouri.

Currently, PSRS/PEERS Board of Trustees are required to complete a board member education program within 90 days of becoming a new board member designed to orient new board members in the areas of duties and responsibilities of board members as trustees, ethics, governance process and procedures, pension plan design and administration of benefits, investments including but not limited to the fiduciary duties as defined under section 105.688, legal liability and risks associated with the administration of a plan, sunshine law requirements under chapter 610, actuarial principles and methods related to plan administration, and the role of staff and consultants in plan administration. Board members who have served one or more years shall attend at least a total of six hours of continuing education programs in the areas mentioned above.

This proposal establishes that the orientation and education program for new trustees should be at least 6 hours. It also specifies that trustees of public pension plans that have one or more years of service would be required to have at least 2 hours of continuing education.

Currently, our new board of trustees members have more than 6 hours of orientation and our existing trustees consistently attend more than 2 hours of continuing education in the areas of public pension management. As currently drafted this bill has no substantial fiscal or operational impact on PSRS or PEERS of Missouri.

Officials at the **Joint Committee on Public Employee Retirement** assume section 105.666 will not affect retirement plan benefits as defined in Section 105.660.

In response to similar legislation from this year, HB 2505, officials at the **Prosecuting and Circuit Attorney's Retirement System** assumed no fiscal impact from this proposal.

ASSUMPTION (continued)

Officials at the **Kansas City Public School Retirement System (KCPSRS)** assume the proposed language in section 105.666 requires new board members to complete at least six hours within ninety days (instead of the current language to complete an orientation) of becoming a new board member is operationally challenging and has a fiscal impact of \$4,000 each year on the Kansas City Public School Retirement System (KCPSRS).

The proposed language change of continuing education hours for existing board members, from six to two hours, is not expected to reduce our expenses for continuing education because members value the annual education and have built the six hours into KCPSRS Governance Policies. Appropriate training events are targeted each year.

At KCPSRS, new board members are most often appointed on January 1 and the opportunity for appropriate training events during the first ninety day (January 1 to March 30) is limited. KCPSRS currently has a two hour orientation program for new trustees, however development of additional board training will require external contracting at an estimated cost of \$2,000 for each new board member.

Fiscal Impact:

Fee of attorney, actuary, investment professional estimated at \$350 per hour x 4 hours = \$1,400
Miscellaneous cost (consultant and board member - meal, travel)
600

Expect two new board members each year, therefore the total estimated additional cost \$2,000 x 2 = \$4,000 each year from the KCPSRS trust fund. No General Revenue.

§173.260

Officials at the **Office of Administration's Budget and Planning Division** assume the new language includes air ambulance personnel, flight crew members, and EMTs as service members whose children or spouse will be granted free tuition at an approved Missouri college or university if their parent or spouse is killed or permanently disabled in the line of duty. This will have no impact on total state revenue or the calculation pursuant to Article X, Section 18(e). B&P defers to the DHE for an estimated impact.

In response to a previous version, officials from the **Department of Higher Education** assumed section 173.260 adds air ambulance staff (pilot, nurse, respiratory therapist, etc) and employees of the state fire marshal's office and emergency medical technicians to the list of eligible classes this grant will serve. It is almost impossible to estimate the impact of this change since it is based upon catastrophic events. However, DHE estimates at least two additional scholarships may be required each year. The average scholarship for this program is currently \$5,773 per

ASSUMPTION (continued)

eligible recipient per year. The total amount needed to pay two additional recipients would be \$9,622.

Officials from the **Department of Public Safety - Division of Fire Safety** assume section 173.260 includes the uniformed staff under the definition of "Public Safety Officer". This then allows their survivors to be eligible for the educational grant program. The Division currently employs 56 uniformed employees.

Based on the information from the Department of Higher Education's budget request, **Oversight** notes the following for the Public Service Officer Survivor Grant Program:

Table II: Appropriations and Expenditures

	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>
Appropriations	\$140,000	\$140,000	\$140,000
Expenditures	\$73,003	\$77,807	\$121,226

Table III: Average Award per Student

	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Average Award	\$5,774 (actual)	\$5,800 (projected)	\$5,900 (projected)

Table IV: Number of Students Accepting a Grant

	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Number of Students	14 (actual)	14 (actual)	21 (actual)	20 (proj.)	20 (proj.)

Officials at the **Department of Labor and Industrial Relations** cannot predict the number of additional claims it would be required to review each year for Line of Duty Benefits and could likely absorb the increase in claim reviews with existing resources. However, if the number of additional claims is significant enough that the Division of Workers' Compensation could not absorb the additional work, additional resources would be requested through the appropriations process.

In response to a similar proposal from this year, HB 2360, **Department of Public Safety - Office of the Director** assumed the proposal would have no fiscal impact on the organization.

ASSUMPTION (continued)

§190.101

In response to similar legislation from this year, HCS for SB 796, officials from the **Office of the Secretary of State (SOS)** assumed many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

In response to similar legislation from this year, HCS for SB 796, officials from the **Office of the State Treasurer**, the **Missouri Senate** and the **Department of Elementary and Secondary Education** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to similar legislation from this year, HCS for SB 796, officials from the **University of Central Missouri**, **Missouri State University**, **State Technical College of Missouri** and **Missouri Western State University** each assumed the proposal will have no fiscal impact on their respective organizations.

§§217.151

In response to a similar proposal from this year (HB 1627, LR 5302-01), officials from the **City of Kansas City** assumed the proposal would not fiscally impact their agency.

In response to similar legislation from this year, HB 1437, officials from the **St. Louis County Police Department** and the **Boone County Sheriff's Department** each assumed the proposal would not fiscally impact their respective agencies.

ASSUMPTION (continued)

In response to similar legislation from this year, HB 1437, officials from the **Jefferson County Sheriff's Department** stated as a medical provider, they have all these requirements in place already. The only thing we need to make sure of is that custody does not use restraints on anyone that is in their 3rd trimester. We can review all the policies related to this.

287.243

Officials at the **Office of Administration's Budget and Planning Division** assume revisions to this section include a new definition for "public safety officer" which includes additional professionals whose family members would be eligible for benefits under this section. There will be a \$25,000 payout to spouses, children, or other relatives as deemed necessary pursuant to section language if a public safety officer dies while in the line of duty. This will have no impact on total state revenue or the calculation pursuant to Article X, Section 18(e). B&P defers to the DPS for an estimated impact.

Oversight notes this section appears to broaden the class of individuals entitled to line of duty compensation to include: a uniformed employee of the Office of the State Fire Marshall, parole officer, probation officer, correctional officer, water safety officer, park ranger and conservation officer. Oversight notes the Line of Duty Compensation program was established to provide a \$25,000 benefit payment to the survivors of emergency personnel killed in the line of duty, subject to appropriation. Oversight notes the following appropriations and expenditures for the Line of Duty Compensation program:

Table IV: Line of Duty Compensation

	<u>FY 2018*</u>	<u>FY 2017</u>	<u>FY 2016</u>	<u>FY 2015</u>	<u>FY 2014</u>
Appropriations	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000
Expenditures	\$50,000	\$150,000	\$125,000	\$50,000	\$250,000
Unexpended	-	\$300,000	\$325,000	\$400,000	\$200,000
Number of Claims	2	6	5	2	10

Source: DOLIR FY 2019 budget submission.

*There are four additional claims currently pending.

Oversight notes if line of duty compensation claims increased by 4 because of this proposal, the cost is estimated at \$100,000 (4 * \$25,000). Oversight assumes, based on the unexpended funds in previous years, a small increase in the number of line of duty compensation claims could be absorbed with the current appropriation authority. Therefore, Oversight will not reflect an additional cost to the state. Should additional funds be required, DOLIR could request additional

ASSUMPTION (continued)

funding through the appropriation process.

§320.086

In response to similar legislation from this year, HCS for HB 1488, officials at the **Office of Administration's Division of Personnel** assumed no fiscal impact from this proposal.

§577.029

In response to similar legislation from this year, HCS for HB 2413, officials from the **Department of Public Safety - Missouri Highway Patrol** each assumed the proposal would not fiscally impact their respective agencies.

In response to similar legislation from this year, HCS for HB 2413, officials from the **Springfield Police Department** assumed the proposal would not fiscally impact their respective agencies.

§590.1040

In response to similar legislation from this year, HCS for HB 1411, officials from the **Boone County Sheriff's Department** assumed no fiscal impact from the proposal.

In response to similar legislation from this year, HCS for HB 1411, officials from the **Greene County Sheriff's Department** state the proposal could possibly cost tens of thousands of dollars if we can not receive information from counselors that would prevent further problems related to their work by information not being passed to the employers.

Oversight assumes the proposal would not have a direct fiscal impact to the state or local law enforcement agencies.

Bill as a Whole

Officials at **Office of the State Courts Administrator** assume there may be some impact but there is no way to quantify that currently. Any significant changes will be reflected in future budget requests.

Officials at the **Department of Corrections**, the **Missouri Department of Transportation**, the **Joint Committee on Administrative Rules**, the **Department of Revenue**, the **Department of Insurance, Financial Institutions and Professional Registration**, the **Office of Administration's Division of General Services, Facilities Management, Design and**

ASSUMPTION (continued)

Construction and the **Division of Accounting**, the **Department of Mental Health**, the **Department of Social Services**, the **Department of Public Safety's Missouri Highway Patrol**, the **Office of the Governor**, the **MoDOT & Patrol Employees' Retirement System**, the **County Employees Retirement Fund**, **Legislative Research**, the **Missouri Local Government Employees Retirement System**, the **Office of the State Public Defender** and the **State Tax Commission** each assume no fiscal impact to their respective agencies from this proposal.

Officials at the **Office of the Attorney General (AGO)** assume that any potential costs arising from this proposal can be absorbed with existing resources. The AGO may seek additional appropriations if there is a significant increase in litigation.

In response to a previous version, the **Office of Administration's Administrative Hearing Commission** and the **Missouri State Employees' Retirement System** each assumed no fiscal impact to their respective agencies from this proposal.

Officials at the **DeSoto Rural Fire Protection District**, the **Springfield Police Department**, the **Police Retirement System of St. Louis**, the **Branson Police Department**, the **Police Retirement System of Kansas City** and the **Sheriffs' Retirement System** each assume no fiscal impact to their respective entities from this proposal.

<u>FISCAL IMPACT - State Government</u>	FY 2019 (10 Mo.)	FY 2020	FY 2021
GENERAL REVENUE FUND			
<u>Savings</u> - DHSS (§190.142.1(2))			
Reduction in background check fees paid REPLICA	\$72,000	\$72,000	\$72,000
<u>Cost</u> - DHE - expanding the Public Safety Officer Grant Programs - (§173.260)			
	(<u>\$9,622</u>)	(<u>\$11,835</u>)	(<u>\$12,131</u>)
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND	<u>\$62,378</u>	<u>\$60,165</u>	<u>\$59,869</u>
CRIMINAL RECORDS FUND			
<u>Income</u> - DPS - increase in background check fees REPLICA (§190.142.1)			
	<u>\$30,600</u>	<u>\$30,600</u>	<u>\$30,600</u>
ESTIMATED NET EFFECT ON THE CRIMINAL RECORDS FUND	<u>\$30,600</u>	<u>\$30,600</u>	<u>\$30,600</u>
 <u>FISCAL IMPACT - Local Government</u>			
	FY 2019 (10 Mo.)	FY 2020	FY 2021
AMBULANCE AND FIRE PROTECTION DISTRICT FUNDS			
<u>Revenues</u> - potential increase in tax revenues from recalculating rates set for reimbursement on tax increments (§§100.050, 100.059, 353.110)			
	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>
ESTIMATED NET EFFECT ON AMBULANCE AND FIRE PROTECTION DISTRICT FUNDS	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>	<u>\$0 or Unknown</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

This act modifies several provisions relating to emergency services, including: (1) the law enforcement mutual aid region; (2) emergency services districts; (3) retirement plan board member training; (4) certain definitions; (5) line of duty death compensation; (6) emergency medical services (EMS) medical directors; (7) EMS training; (8) emergency treatment protocols; (9) disciplinary investigations; (10) EMS records; (11) the EMS Personnel Licensure Interstate Compact; (12) physical restraints used on pregnant or postpartum offenders; (13) fire department and fire protection district protected health information; (14) blood draws by certain medical professionals; and (15) peer counseling for emergency services personnel.

LAW ENFORCEMENT MUTUAL AID REGION (Section 44.098)

This act provides that when a law enforcement agency requests assistance from another law enforcement agency under a mutual aid agreement, any law enforcement officer assisting the requesting agency is afforded the same powers of arrest they would have in their own jurisdiction and the same powers of arrest as officers of the requesting entity. Any officer assisting a requesting agency shall enjoy the same legal immunities as an officer of the requesting entity. Such powers shall be limited to the location where provided, for the duration of the specific event requested, and while acting under the direction of the requesting entity.

Any officer assisting a requesting agency shall be deemed an employee of the assisting agency and shall be subject to the workers' compensation, overtime, and expense reimbursement provisions provided as an employee of the assisting agency, including sovereign immunity, official immunity, and the public duty doctrine.

EMERGENCY SERVICES DISTRICTS (Sections 99.848, 100.050, 100.059, and 353.110)

Current law provides that ambulance and fire protection districts are entitled to a reimbursement of between 50% and 100% of the amount of the district's tax increment deposited into the Special Allocation Fund of a tax increment financing district. This act provides that ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rate prior to the time the assessment is paid into the Fund. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district or the governing body of a county operating a 911 center providing emergency or dispatch services shall have the right to recalculate the reimbursement rate.

This act requires plans for Chapter 100 industrial development projects to identify ambulance and fire protection districts that are impacted by such projects, and to include an analysis of the costs and benefits of such projects to such districts.

FISCAL DESCRIPTION (continued)

This act also allows ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services to receive a reimbursement of between 50% and 100% of the amount of ad valorem property tax revenues the district or county would have received in the absence of a property tax abatement or exemption provided for under a Chapter 100 industrial development project. Ambulance and fire protection districts and the governing body of a county operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rate prior to the time the assessment is determined by the county assessor. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district or county shall have the right to recalculate the reimbursement rate.

This act also modifies the Urban Redevelopment Corporations Law by allowing ambulance and fire protection districts and counties operating a 911 center providing emergency or dispatch services to receive a reimbursement of between 50% and 100% of the amount of ad valorem property tax revenues the district or county would have received in the absence of the property tax abatement or exemption provided for under current law. Ambulance and fire protection districts and the governing body of a county operating a 911 center providing emergency or dispatch services shall annually set such reimbursement rate prior to the time the assessment is determined by the county assessor. If the redevelopment plan, area, or project is amended, the ambulance or fire protection district or the governing body of a county operating a 911 center providing emergency or dispatch services shall have the right to recalculate the reimbursement rate.

RETIREMENT PLAN BOARD MEMBER TRAINING (Section 105.666)

This act changes the required number of hours for training for certain public employee retirement plan board members. New members shall complete an education program of at least six hours and board members who have served one or more years shall attend at least two hours annually of continuing education programs.

CERTAIN DEFINITIONS (Sections 135.090, 190.094, 190.100, 190.103, 190.105, 190.131, 190.143, 190.196, 190.246, and 191.630)

This act changes the term "emergency medical technician-intermediate" to "advanced emergency medical technician".

Additionally, the term "first responder" is replaced by "emergency medical responder".

Finally, the definition of "medical control" is modified to include both online and offline medical control.

FISCAL DESCRIPTION (continued)

LINE OF DUTY DEATH COMPENSATION (Sections 173.260 and 287.243)

Currently, the "Public Service Officer's or Employee's Child Survivor Grant Program" and the "Line of Duty Compensation Act" provide for compensation and educational grants for certain surviving family members and other designated individuals of a specified emergency services personnel killed in the line of duty. This act expands the professions covered under this provision.

EMS MEDICAL DIRECTORS (Section 190.103)

This act requires the state EMS medical director to be elected by the members of the regional EMS medical director's advisory committee, to serve a four-year term, and to coordinate EMS services between the EMS regions, as well as to promote educational efforts for agency medical directors, represent Missouri EMS nationally, and incorporate the EMS system into Missouri's health care system.

EMS TRAINING (Sections 190.131 and 190.142)

This act modifies education, training, and accreditation requirements for emergency medical technicians and paramedics. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review.

TREATMENT PROTOCOLS (Sections 190.103 and 190.147)

Emergency medical technicians and paramedics shall only perform medical procedures as directed by treatment protocols approved by the regional medical director or as authorized through direct communication with online medical control.

Emergency medical technician paramedics (EMT-Ps) who have completed certain training, received authorization, and whose ambulance service has adopted certain protocols may make a good faith determination that certain behavioral health patients must be placed in a temporary hold for transport to the nearest appropriate facility. Physical restraint of a patient shall be permitted only to provide for bystander, patient, or emergency personnel safety, as approved by local medical control, or in cooperation with on-scene law enforcement. All incidents involving patient restraint shall be reviewed by the ambulance service physician medical director.

This act also specifies that the EMT-Ps who have made such determinations shall no longer rely on the common law doctrine of implied consent and are not to be held civilly liable nor be considered to have waived certain specified defenses if employed by a government employer.

Any ambulance services adopting the authority and protocols under this act shall have a memorandum of understanding with local law enforcement agencies to achieve a collaborative and coordinated response to patients displaying a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs.

FISCAL DESCRIPTION (continued)

DISCIPLINARY INVESTIGATIONS (Section 190.165)

Under current law, licensed EMS providers who are the subjects of disciplinary investigations are instructed that they are not entitled to have holders of certain certificates, permits, or licenses present at an interview. This act removes this prohibition against holders of certain certificates, permits, or licenses. Additionally, the act provides that the Administrative Hearing Commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the Department of Health and Senior Services as to licensure disposition based on such evidence.

EMS RECORDS (Section 190.173)

This act provides that any information regarding the physical or mailing address, phone number, fax number, or email address of a licensed ambulance service or certified training entity shall not be considered confidential.

Nothing in this provision shall prohibit the Department of Health and Senior Services from releasing certain aggregate information in accordance with state law.

EMS PERSONNEL LICENSURE INTERSTATE COMPACT (Sections 190.101, 190.142, and 190.900 to 190.939)

This act authorizes Missouri to become a member state of the "Recognition of EMS Personnel Licensure Interstate Compact" and to adopt the provisions of authorization as specified in the act. The purpose of the compact is to facilitate the exchange of information between member states regarding EMS personnel licensure, adverse actions, and significant investigatory information. The State Advisory Council on Emergency Medical Services shall monitor the implementation of the compact and make recommendations regarding Missouri's participation in the compact.

Applicants for initial licensure as an emergency medical technician submitted after the recognition of the compact shall submit to a background check as provided in the act.

A home state's license authorizes an individual to practice in a remote state under the privilege to practice if the home state meets certain requirements, as set forth in the act. In order to exercise the privilege to practice under the terms and provisions of the compact, an individual shall: 1) be at least 18 years of age; 2) possess a current unrestricted license in a member state as an emergency medical technician (EMT), advanced emergency medical technician (AEMT), paramedic, or state-recognized and licensed level with a scope of practice and authority between EMT and paramedic; and 3) practice under the supervision of a medical director.

If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state until the individual's home state license is restored. Additionally, if an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

FISCAL DESCRIPTION (continued)

The circumstances under which an individual may practice in a remote state in the performance of emergency medical services are set forth in the act, in conjunction with any rules created by the Interstate Commission for EMS Personnel Practice.

If a member state's governor declares a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), the terms of EMAC shall prevail over the terms or provisions of the compact with respect to any individual practicing in a remote state in response to such declaration.

A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state. A remote state may take adverse action on an individual's privilege to practice within the remote state.

The Interstate Commission for EMS Personnel Practice has powers as set forth in the act, including the collection of an annual assessment from member states. Missouri shall not authorize an annual assessment greater than \$10,000 or an annual increase equal to the CPI-U. The commission shall meet at least one during each calendar year. The commission may hold closed meetings to discuss matters as specified in the act.

The commission shall prescribe bylaws and rules to carry out the purposes and exercise the powers of the compact. The powers and duties of the commission are set forth in the act.

Any member state may withdraw from the compact by enacting a statute repealing the same. A member state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

PHYSICAL RESTRAINTS USED ON PREGNANT OR POSTPARTUM OFFENDERS
(Section 217.151)

Under this act, a Department of Corrections correctional center is prohibited from using restraints on a pregnant offender in her third trimester during transportation, medical appointments, labor, or forty-eight hours post delivery, unless extraordinary circumstances exist. Extraordinary circumstances occur when the offender is a substantial flight risk or restraints must be used to ensure the safety of the offender or others. When restraints are used, they must be the least restrictive and reasonable under the circumstances. Additionally, the corrections officer who determined that the restraints were necessary shall document the incident within forty-eight hours. If a health care provider requests for restraints to not be used, then the corrections officer shall remove all restraints.

FISCAL DESCRIPTION (continued)

The Sentencing and Corrections Oversight Commission and the Advisory Committee shall conduct biannual reviews of every report written on incidents where restraints were used by a corrections officer.

Correctional centers shall ensure that employees are trained on the use of restraints for pregnant and postpartum offenders. Furthermore, the facilities must inform female offenders of procedures regarding care and custody of pregnant offenders and post such procedures in a common place.

FIRE DEPARTMENT AND FIRE PROTECTION DISTRICT PROTECTED HEALTH INFORMATION (Section 320.086)

Under this act, a portion of a record that is individually identifiable health information may be a closed record if maintained by a fire department or fire protection district. However, the department or district shall produce an incident report for every call to the department or district, as specified in the act, and such incident report shall be an open record.

BLOOD DRAWS BY CERTAIN MEDICAL PROFESSIONALS (Section 577.029)

This act requires the consent of a patient or a warrant before a licensed physician, registered nurse, phlebotomist, or trained medical technician may draw blood at the request of a law enforcement officer for the purpose of determining the alcohol content of the blood.

PEER COUNSELING FOR EMERGENCY SERVICES PERSONNEL (Section 590.1040)

This act prohibits peer support specialists who obtain information from law enforcement officers or emergency services personnel while acting in their capacity as a peer support specialist from disclosing any confidential information unless certain conditions specified in the act are met. These conditions include threats of suicide, information relating to the abuse of spouses, children, or the elderly, admission of criminal conduct, and disclosure of certain protected information for which appropriate consent to disclose has been given.

There is no prohibition on communication between peer support specialists or any communication between the specialists and the supervisors or staff of an employee assistance program. There is also no prohibition on communication regarding fitness of an employee for duty between an employee assistance program and an employer.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.


SOURCES OF INFORMATION

St. Louis County Police Department
Office of Administration
 Division of Accounting
 Division of Personnel
 Division of General Services
 Administrative Hearing Commission
 Budget and Planning Division
Department of Health and Senior Services
Office of Attorney General
Department of Public Safety
 Office of the Director
 Division of Fire Safety
 Missouri State Highway Patrol
Office of the Governor
Joint Committee on Administrative Rules
Department of Revenue
Office of State Courts Administrator
Office of Secretary of State
Missouri Department of Transportation
Department of Corrections
Department of Social Services
Department of Insurance, Financial Institutions and Professional Registration
Boone County Sheriff's Department
Springfield Police Department
Branson Police Department
Joplin Police Department
St. Louis County
State Tax Commission
Legislative Research
Public School & Education Employee Retirement Systems of Missouri
Joint Committee on Public Employee Retirement
Prosecuting and Circuit Attorney's Retirement System
Missouri Local Government Employees Retirement System
County Employees Retirement Fund
Police Retirement System of Kansas City
Police Retirement System of St. Louis
Sheriffs' Retirement System
Department of Higher Education
Department of Labor and Industrial Relations
Office of the State Treasurer
Jasper County Sheriff's Department
Missouri State Employees' Retirement System

SOURCES OF INFORMATION (continued)

Missouri Senate
Department of Elementary and Secondary Education
University of Central Missouri
Missouri State University
State Technical College of Missouri
Missouri Western State University
St. Louis County Police Department
Greene County Sheriff's Department
Joint Committee on Administrative Rules
Department of Mental Health
MoDOT & Patrol Employees' Retirement System
Jefferson County Sheriff's Department
Boone County
City of Kansas City
DeSoto Rural Fire Protection District

Ross Strope



Acting Director
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