



Reprinted
March 22, 2017

ENGROSSED

SENATE BILL No. 119

DIGEST OF SB 119 (Updated March 21, 2017 2:34 pm - DI 77)

Citations Affected: IC 5-10; IC 16-31.

Synopsis: Air ambulance services. Adds a representative of an entity that provides air ambulance services to the composition of the Indiana emergency medical services commission (commission). Requires the commission with the assistance of the state department of health to develop and recommend statewide standards for activation and use of air medical services for transport of patients from the emergency scene to a trauma center. Requires that the standards must be updated at least every three years. Provides a public safety officer special death benefit to an emergency medical services provider who, after June 30, 2017, dies as a direct result of personal injury or illness resulting from the provider's performance of duties as an employee of an air ambulance services provider maintained by a health care system affiliated with a state educational institution, if the provider's employer purchases coverage.

Effective: Upon passage; July 1, 2017.

**Becker, Ford, Tomes, Niezgodski,
Randolph Lonnie M**

(HOUSE SPONSORS — BACON, ZENT, MACER, HATFIELD)

January 4, 2017, read first time and referred to Committee on Homeland Security and Transportation.

February 14, 2017, reported favorably — Do Pass.

February 16, 2017, read second time, amended, ordered engrossed.

February 17, 2017, engrossed.

February 20, 2017, read third time, passed. Yeas 44, nays 5.

HOUSE ACTION

February 28, 2017, read first time and referred to Committee on Public Health.

March 9, 2017, reported — Do Pass.

March 13, 2017, read second time, amended, ordered engrossed.

March 14, 2017, engrossed.

March 20, 2017, returned to second reading.

March 21, 2017, re-read second time, amended, ordered engrossed.

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Reprinted
March 22, 2017

First Regular Session 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 119

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-10-2, AS AMENDED BY P.L.62-2015,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (b), as
4 used in this chapter, "dies in the line of duty" refers to a death that
5 occurs as a direct result of personal injury or illness resulting from any
6 action that the public safety officer, in the public safety officer's
7 capacity as a public safety officer, is obligated or authorized by rule,
8 regulation, condition of employment or service, or law to perform in
9 the course of controlling or reducing crime or enforcing the criminal
10 law. For purposes of a public safety officer who is an employee (as
11 defined in IC 5-10-13-2), the term includes a death presumed incurred
12 in the line of duty under IC 5-10-13.

13 (b) This subsection applies to a public safety officer who is eligible
14 for a special death benefit under section 4.8 or 4.9 of this chapter.
15 "Dies in the line of duty" refers to a death that occurs as a direct result
16 of personal injury or illness caused by an incident, accident, or violence
17 that results from any action that the public safety officer, in the public

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- 1 safety officer's capacity as a public safety officer:
- 2 (1) is obligated or authorized by rule, regulation, condition of
- 3 employment or service, or law to perform; or
- 4 (2) performs during an emergency run.
- 5 SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.62-2015,
- 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2017]: Sec. 4. As used in this chapter, "public safety officer"
- 8 means any of the following:
- 9 (1) A state police officer.
- 10 (2) A county sheriff.
- 11 (3) A county police officer.
- 12 (4) A correctional officer.
- 13 (5) An excise police officer.
- 14 (6) A county police reserve officer.
- 15 (7) A city police reserve officer.
- 16 (8) A conservation enforcement officer.
- 17 (9) A town marshal.
- 18 (10) A deputy town marshal.
- 19 (11) A probation officer.
- 20 (12) A state educational institution police officer appointed under
- 21 IC 21-39-4.
- 22 (13) A police officer whose employer purchases coverage under
- 23 section 4.5 of this chapter.
- 24 (14) An emergency medical services provider (as defined in
- 25 IC 16-41-10-1) who is:
- 26 (A) employed by a political subdivision (as defined in
- 27 IC 36-1-2-13); and
- 28 (B) not eligible for a special death benefit under IC 36-8-6-20,
- 29 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
- 30 (15) A firefighter who is employed by the fire department of a
- 31 state university.
- 32 (16) A firefighter whose employer purchases coverage under
- 33 section 4.5 of this chapter.
- 34 (17) A member of a consolidated law enforcement department
- 35 established under IC 36-3-1-5.1.
- 36 (18) A gaming agent of the Indiana gaming commission.
- 37 (19) A person who is:
- 38 (A) employed by a political subdivision (as defined in
- 39 IC 36-1-2-13); and
- 40 (B) appointed as a special deputy under IC 36-8-10-10.6.
- 41 (20) A school corporation police officer appointed under
- 42 IC 20-26-16.



1 (21) A gaming control officer of the Indiana gaming commission.

2 (22) An eligible chaplain who meets the requirements of section
3 4.7 of this chapter.

4 (23) A community corrections officer.

5 (24) An eligible emergency medical services provider who meets
6 the requirements of section 4.8 of this chapter.

7 **(25) An emergency medical services provider whose employer
8 purchases coverage under section 4.9 of this chapter.**

9 SECTION 3. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2017]: **Sec. 4.9. (a) As used in this section, "eligible emergency
12 medical services provider" means an emergency medical services
13 provider whose employer purchases coverage under this section.**

14 **(b) As used in this section, "emergency medical services
15 provider" has the meaning set forth in IC 16-41-10-1.**

16 **(c) As used in this section, "employer" means a health care
17 system affiliated with a state educational institution that:**

18 **(1) maintains an air ambulance services provider; and**

19 **(2) employs emergency medical services providers for the air
20 ambulance services provider.**

21 **(d) If an employer purchases coverage for an eligible emergency
22 medical services provider, the eligible emergency medical services
23 provider is eligible for a special death benefit from the fund in the
24 same manner that any other public safety officer is eligible for a
25 special death benefit from the fund. The cost of the coverage must
26 be one hundred dollars (\$100) for each eligible emergency medical
27 services provider annually. The cost of the coverage shall be paid
28 to the board for deposit into the fund.**

29 **(e) If an employer elects to provide coverage under this section,
30 the employer must purchase coverage for all eligible emergency
31 medical services providers of the employer. The board shall allow
32 an employer to purchase coverage by making quarterly payments
33 on dates prescribed by the board.**

34 SECTION 4. IC 16-31-2-2, AS AMENDED BY P.L.77-2012,
35 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 UPON PASSAGE]: Sec. 2. (a) The commission is composed of ~~thirteen~~
37 **(13) fourteen (14)** members. The governor shall appoint the members
38 for four (4) year terms as follows:

39 **(1) One (1) must be appointed from a volunteer fire department
40 that provides emergency medical service.**

41 **(2) One (1) must be appointed from a full-time municipal fire or
42 police department that provides emergency medical service.**



- 1 (3) One (1) must be a nonprofit provider of emergency ambulance
 2 services organized on a volunteer basis other than a volunteer fire
 3 department.
 4 (4) One (1) must be a provider of private ambulance services.
 5 (5) One (1) must be a state licensed paramedic.
 6 (6) One (1) must be a licensed physician who:
 7 (A) has a primary interest, training, and experience in
 8 emergency medical services; and
 9 (B) is currently practicing in an emergency medical services
 10 facility.
 11 (7) One (1) must be a chief executive officer of a hospital that
 12 provides emergency ambulance services.
 13 (8) One (1) must be a registered nurse who has supervisory or
 14 administrative responsibility in a hospital emergency department.
 15 (9) One (1) must be a licensed physician who:
 16 (A) has a primary interest, training, and experience in trauma
 17 care; and
 18 (B) is practicing in a trauma facility.
 19 (10) One (1) must be a state certified emergency medical service
 20 technician.
 21 (11) One (1) must be an individual who:
 22 (A) represents the public at large; and
 23 (B) is not in any way related to providing emergency medical
 24 services.
 25 (12) One (1) must be a program director (as defined in 836
 26 IAC 4-2-2(12)(B)(iii)) for a commission certified advanced life
 27 support training institution.
 28 (13) One (1) must be the deputy executive director appointed
 29 under IC 10-19-5-3 to manage the division of preparedness and
 30 training of the department of homeland security or the designee
 31 of the deputy executive director.
 32 **(14) One (1) must be a representative of an entity that**
 33 **provides air ambulance services.**
 34 (b) The chief executive officer of a hospital appointed under
 35 subsection (a)(7) may designate another administrator of the hospital
 36 to serve for the chief executive officer on the commission.
 37 (c) Not more than ~~seven (7)~~ **eight (8)** members may be from the
 38 same political party.
 39 SECTION 5. IC 16-31-2-7.1 IS ADDED TO THE INDIANA CODE
 40 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
 41 UPON PASSAGE]: **Sec. 7.1. (a) Not later than July 1, 2018, the**
 42 **commission shall:**



- 1 (1) evaluate the use in Indiana of air ambulance services on
2 patient outcomes; and
3 (2) develop and recommend statewide standards for the
4 activation and use of air ambulance services;
5 not including air ambulance services used for transferring patients
6 between health facilities. In performing its duties under this
7 section, the commission shall reevaluate Indiana's adopted triage
8 and transportation protocols for the transportation of trauma
9 patients. The division of trauma and injury prevention of the state
10 department of health shall assist the commission.
11 (b) The goal of the standards for activation and use of air
12 ambulance services developed by the commission must be to:
13 (1) prevent the overuse of air ambulance services for
14 emergency scene response and patient transport;
15 (2) provide consistent and appropriate criteria for emergency
16 medical responders to use when determining whether to:
17 (A) request an emergency scene response by an air
18 ambulance provider; and
19 (B) transport patients by air or by ground transport from
20 the emergency scene to appropriate hospitals or trauma
21 centers; and
22 (3) provide appropriate, quality prehospital or pretrauma
23 center patient care.
24 (c) The commission shall review and update the standards at
25 least once every three (3) years.
26 SECTION 6. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 119, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 119 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 9, Nays 0

 SENATE MOTION

Madam President: I move that Senate Bill 119 be amended to read as follows:

Between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-31-2-2, AS AMENDED BY P.L.77-2012, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The commission is composed of ~~thirteen~~ **(13) fourteen (14)** members. The governor shall appoint the members for four (4) year terms as follows:

- (1) One (1) must be appointed from a volunteer fire department that provides emergency medical service.
- (2) One (1) must be appointed from a full-time municipal fire or police department that provides emergency medical service.
- (3) One (1) must be a nonprofit provider of emergency ambulance services organized on a volunteer basis other than a volunteer fire department.
- (4) One (1) must be a provider of private ambulance services.
- (5) One (1) must be a state licensed paramedic.
- (6) One (1) must be a licensed physician who:
 - (A) has a primary interest, training, and experience in emergency medical services; and
 - (B) is currently practicing in an emergency medical services facility.
- (7) One (1) must be a chief executive officer of a hospital that provides emergency ambulance services.
- (8) One (1) must be a registered nurse who has supervisory or administrative responsibility in a hospital emergency department.
- (9) One (1) must be a licensed physician who:

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(A) has a primary interest, training, and experience in trauma care; and

(B) is practicing in a trauma facility.

(10) One (1) must be a state certified emergency medical service technician.

(11) One (1) must be an individual who:

(A) represents the public at large; and

(B) is not in any way related to providing emergency medical services.

(12) One (1) must be a program director (as defined in 836 IAC 4-2-2(12)(B)(iii)) for a commission certified advanced life support training institution.

(13) One (1) must be the deputy executive director appointed under IC 10-19-5-3 to manage the division of preparedness and training of the department of homeland security or the designee of the deputy executive director.

(14) One (1) must be a representative of an entity that provides air ambulance services.

(b) The chief executive officer of a hospital appointed under subsection (a)(7) may designate another administrator of the hospital to serve for the chief executive officer on the commission.

(c) Not more than ~~seven (7)~~ **eight (8)** members may be from the same political party."

Renumber all SECTIONS consecutively.

(Reference is to SB 119 as printed February 15, 2017.)

BECKER

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 119 as reprinted February 17, 2017.)

KIRCHHOFER

Committee Vote: Yeas 8, Nays 0



HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 119 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-10-2, AS AMENDED BY P.L.62-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) Except as provided in subsection (b), as used in this chapter, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of controlling or reducing crime or enforcing the criminal law. For purposes of a public safety officer who is an employee (as defined in IC 5-10-13-2), the term includes a death presumed incurred in the line of duty under IC 5-10-13.

(b) This subsection applies to a public safety officer who is eligible for a special death benefit under section 4.8 or 4.9 of this chapter. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness caused by an incident, accident, or violence that results from any action that the public safety officer, in the public safety officer's capacity as a public safety officer:

- (1) is obligated or authorized by rule, regulation, condition of employment or service, or law to perform; or
- (2) performs during an emergency run.

SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.62-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. As used in this chapter, "public safety officer" means any of the following:

- (1) A state police officer.
- (2) A county sheriff.
- (3) A county police officer.
- (4) A correctional officer.
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city police reserve officer.
- (8) A conservation enforcement officer.
- (9) A town marshal.
- (10) A deputy town marshal.
- (11) A probation officer.

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(12) A state educational institution police officer appointed under IC 21-39-4.

(13) A police officer whose employer purchases coverage under section 4.5 of this chapter.

(14) An emergency medical services provider (as defined in IC 16-41-10-1) who is:

(A) employed by a political subdivision (as defined in IC 36-1-2-13); and

(B) not eligible for a special death benefit under IC 36-8-6-20, IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.

(15) A firefighter who is employed by the fire department of a state university.

(16) A firefighter whose employer purchases coverage under section 4.5 of this chapter.

(17) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.

(18) A gaming agent of the Indiana gaming commission.

(19) A person who is:

(A) employed by a political subdivision (as defined in IC 36-1-2-13); and

(B) appointed as a special deputy under IC 36-8-10-10.6.

(20) A school corporation police officer appointed under IC 20-26-16.

(21) A gaming control officer of the Indiana gaming commission.

(22) An eligible chaplain who meets the requirements of section 4.7 of this chapter.

(23) A community corrections officer.

(24) An eligible emergency medical services provider who meets the requirements of section 4.8 of this chapter.

(25) An emergency medical services provider whose employer purchases coverage under section 4.9 of this chapter.

SECTION 3. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 4.9. (a) As used in this section, "eligible emergency medical services provider" means an emergency medical services provider whose employer purchases coverage under this section.**

(b) As used in this section, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

(c) As used in this section, "employer" means a health care system affiliated with a state educational institution that:

(1) maintains an air ambulance services provider; and

(2) employs emergency medical services providers for the air



ambulance services provider.

(d) If an employer purchases coverage for an eligible emergency medical services provider, the eligible emergency medical services provider is eligible for a special death benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage must be one hundred dollars (\$100) for each eligible emergency medical services provider annually. The cost of the coverage shall be paid to the board for deposit into the fund.

(e) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. The board shall allow an employer to purchase coverage by making quarterly payments on dates prescribed by the board."

Renumber all SECTIONS consecutively.

(Reference is to ESB 119 as printed March 10, 2017.)

MACER

HOUSE MOTION

Mr. Speaker: I move that Senate Bill 119 be returned to the second reading calendar forthwith for the purpose of amendment.

BACON

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 119 be amended to read as follows:

Page 5, line 3, delete ", adopt, and implement" and insert "**and recommend**".

(Reference is to ESB 119 as reprinted March 14, 2017.)

BACON

