

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.

SENATE ENROLLED ACT No. 119

AN ACT to amend the Indiana Code concerning health.

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

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,

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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.
- (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.

SECTION 4. 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~~ **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:
- (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.

SECTION 5. IC 16-31-2-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE UPON PASSAGE]: **Sec. 7.1. (a) Not later than July 1, 2018, the commission shall:**

- (1) evaluate the use in Indiana of air ambulance services on patient outcomes; and**
- (2) develop and recommend statewide standards for the activation and use of air ambulance services; not including air ambulance services used for transferring patients**



between health facilities. In performing its duties under this section, the commission shall reevaluate Indiana's adopted triage and transportation protocols for the transportation of trauma patients. The division of trauma and injury prevention of the state department of health shall assist the commission.

(b) The goal of the standards for activation and use of air ambulance services developed by the commission must be to:

(1) prevent the overuse of air ambulance services for emergency scene response and patient transport;

(2) provide consistent and appropriate criteria for emergency medical responders to use when determining whether to:

(A) request an emergency scene response by an air ambulance provider; and

(B) transport patients by air or by ground transport from the emergency scene to appropriate hospitals or trauma centers; and

(3) provide appropriate, quality prehospital or pretrauma center patient care.

(c) The commission shall review and update the standards at least once every three (3) years.

SECTION 6. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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