

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1394

Introduced by

Representatives Heinert, Bosch, Hauck, Karls, Meier, Porter

Senators Axtman, Cleary, Roers

1 A BILL for an Act to amend and reenact sections 23-27-01 and 23-27-02 of the North Dakota
2 Century Code, relating to the licensing of emergency medical services operations.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 23-27-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **23-27-01. License required - Licensing of emergency medical services operations -**
7 **Exception - Waiver.**

- 8 1. The department of health and human services shall license emergency medical
9 services operations and may designate their service areas. The department shall limit
10 the issuance of a license for any new emergency medical services operation based on
11 the needs of the service area. A license for an emergency medical services operation
12 is ~~nontransferable~~transferable upon approval of the department.
- 13 2. Emergency medical services may not be advertised, offered, or provided to the public
14 except by an emergency medical services operator that provides the emergency
15 medical services through emergency medical services personnel.
- 16 3. ~~Except as otherwise provided under subsection 4, an~~An emergency medical services-
17 ~~operator~~services operation must be separately licensed for each of the ~~operator's~~
18 ~~emergency medical services operations and an operation that is headquartered from a~~
19 ~~separate location must be considered a separate operation~~the designated service
20 area of the operation. Under this subsection, an operation ~~with a single headquarters~~
21 ~~site may dispatch~~position vehicles and emergency medical services personnel ~~from~~at
22 ~~more than one location if calls requesting services are received and orders for vehicle~~

1 ~~dispatch are made at the single headquarters site~~within the designated service area of
2 an emergency medical services operation.

3 4. Notwithstanding subsection 3, an operator of an emergency medical services
4 operation may operate one or more substation ambulance services operations under a
5 single license if:

6 a. The substation ambulance services operation was designated before
7 December 31, 2024, and remains continuously designated;

8 b. The headquarters ambulance services operation is not a substation ambulance
9 services operation of another emergency medical services operation;

10 ~~b.c.~~ The substation ambulance services operation area borders the headquarters
11 ambulance services operation area or borders another substation of the
12 headquarters ambulance services operation;

13 ~~e.d.~~ The headquarters ambulance services operation and the substation ambulance
14 services operation are dispatched by the same entity; and

15 ~~d.e.~~ The operator of the emergency medical services operation pays a license fee for
16 each of its substation ambulance services operations.

17 5. The provisions of this chapter do not apply to an operator from another state which is
18 headquartered at a location outside of this state and transports patients across state
19 lines, but the operator may not treat patients within this state or pick up patients within
20 this state for transportation to locations within this state, except as provided by rule.

21 6. The department of health and human services shall adopt rules for special licenses
22 and waiver provisions for an operator of an emergency medical services operation
23 intended for industrial sites not available to the general public.

24 **SECTION 2. AMENDMENT.** Section 23-27-02 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **23-27-02. Definitions.**

27 For the purpose of this chapter, unless the context otherwise requires:

28 1. "Department" means the department of health and human services.

29 2. "Emergency medical services" means the prehospital medical stabilization or
30 transportation, including interfacility transportation, of an individual who is sick, injured,
31 wounded, or otherwise incapacitated or helpless, or in a real or perceived acute

- 1 medical condition, by a person that holds oneself out to the public as being in that
2 service or that regularly provides that service. The term includes:
- 3 a. Assessing, stabilizing, and treating life-threatening and non-life-threatening
4 medical conditions; or
- 5 b. Transporting a patient who is in a real or perceived acute medical condition to a
6 hospital emergency room or other appropriate medical destination.
- 7 3. "Emergency medical services operation" means an entity licensed to offer and provide
8 emergency medical services by emergency medical services personnel with physician
9 oversight. The term includes basic life support ambulance services, advanced life
10 support ambulance services, air ambulance services, and quick response unit
11 services.
- 12 4. "Emergency medical services personnel" means individuals who provide emergency
13 medical services for emergency medical services operations. The term includes
14 emergency medical services professionals, drivers, and department-certified
15 emergency medical services providers, such as cardiopulmonary resuscitation drivers
16 and first responders.
- 17 5. "Emergency medical services professional" means an individual licensed by the
18 department under this chapter.
- 19 6. "Substation ambulance services" means an ambulance station that has its own service
20 area designated by the department and is not individually licensed as an emergency
21 medical services operation.