

Fire/EMS Legislation

Legislation from the 2015 – 2016 Session

Act 1 of 2015

Amends the Emergency and Law Enforcement Personnel Death Benefits Act by extending the filing period for the benefit from 90 days to 4 years.

Act 12 of 2015

Comprehensively amends Title 35 Chapter 53, relating to emergency communications service, to update and enhance PA's 911 emergency communications law; imposes a Uniform Surcharge of \$1.65, beginning on August 1, 2015.

ACT 57 of 2015

Amends Title 35 (Health and Safety) authorizing volunteer first responder organizations to solicit contributions along a highway or roadway.

ACT 84 of 2015

Amends the Insurance Company Law providing for a process for insurance companies to reimburse out-of-network EMS agencies directly.

Act 60 of 2016

Extends the \$30 million Fire and EMS Grant Program until June 30, 2020.

ACT 30 of 2016

Amends Title 35 (Health & Safety) to prohibit the release of a public record or part of a public record under a RTK request that contains **identifying** information relating to *a 911 caller*.

ACT 110 of 2016

Amends Act 101 of 1976 by extending the death benefit to members of the Civil Air Patrol.

Act 145 of 2016

Amends the Heart and Lung Act by adding firefighters to the act who are employed by the Commonwealth.

Act 172 of 2016

Authorizes local governments to enact a tax credit (earned/property) for active volunteer fire and EMS personnel; provides that the credit may not exceed 20% of the volunteers tax liability.

Legislation from the 2017 – 2018 Session.

- **Senate Resolution 60** (A concurrent resolution adopted by the House on July 16, 2003)

SR 60 established a special bipartisan legislative commission to develop and recommend legislation that provides direct and indirect assistance for the purpose of improving the delivery of emergency services in this Commonwealth.

After reviewing over twenty-five prior reports and studies, the SR 60 commission made numerous recommendations (23) to improve our emergency services, which focused on four areas: funding, recruitment and retention, legislation, and a service delivery model. The Veterans Affairs and Emergency Preparedness Committee is currently using the SR 60 report to develop legislation on these critical issues. The committee did spearhead several bills/recommendations; some of which passed into law; others remained in the Senate after House passage. The House VAEP Committee is currently working on legislation which addresses the following issues: funding, health/death benefits, alter firefighter relief funding formula, and retirement programs for volunteer firefighters.

IMPORTANT UPDATE: *On July 27, 2016, the House and Senate Veterans Affairs and Emergency Preparedness Committee Chairman and staff attended a meeting at PEMA to review the recommendations and accomplishments under SR 60 and to discuss the issuance of a new SR 60 Report based on the evolving challenges facing Fire and EMS companies across the Commonwealth. To that end, the full committees of the House and Senate conducted a joint hearing on the issues at the Monroe County 911 center on August 23, 2016. Additionally, the staff of these committees continue to work with the fire and EMS community in preparation of the creation of a new Commission to revisit these issues. On January 23, 2017, members of the new **SR 6 Commission** and stakeholders unveiled 16 legislative initiatives to begin the 2017 – 2018 Session.*

- **HB 147 (Baker)**
Provides for a \$500 tax credit for volunteer fire/EMS responders. Emergency responders may claim up to \$500 on their state tax return for fire/EMS equipment purchased with their own money. (**House Finance Committee**)
- **HB 183 (DUSH)**
A hearing was held on December 10, 2015 on this bill, which authorizes fire companies to bill for services (Actual and reasonable costs). (**House VA&EP Committee**)
- **HB 400 (Causer)**
Legislation will increase the \$10 and \$25 fines under Title 75 that fund the Emergency Medical Services Operating Fund, which haven't been increased since 1985 and will direct that 30% of the money shall be used by the State Bureau of

EMS in the Department of Health to provide direct and targeted training to rural areas of the Commonwealth identified as underserved and struggling areas.
(**House VAEP Committee**)

- **HB 558 (Day)**
Amends Title 35 (Health and Safety) by authorizing the use of funds of a volunteer firefighters' relief association to obtain a "Commercial Drivers' License (CDL). (**House VAEP Committee**)
- **HB 699 (Causer)**
Amend the Insurance Company Law of 1921 to increase the Medical Assistance reimbursement rates for BLS and ALS services. Rates are increased as follows: BLS = \$180; ALS = \$ 300. (**House Approps**)
- **HB 1061 (Farry)**
Expanding the allowable uses (recruitment and retention/LOSAP) of relief monies and giving the OSFC more authority to oversee the program. (**House VAEP Committee**)
- **HB 1224 (Sainato)**
Amends Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies, establishing the First Responder Loan Forgiveness Program. (**House VAEP Committee**)
- **HB 1310 (Barrar)**
Amend Act 284 of 1921, known as the Insurance Company Law, under Section 2116 relating to emergency services to require insurance companies to reimburse emergency medical services agencies for services provided even if transport to a hospital does not take place. (**Senate Banking Committee**)
- **HB 1600 (Knowles/Jozwiak)**
Providing tax credits to employers who authorize employees who are first responders to leave their place of employment to respond to an emergency or to attend first responder training. (**House Finance Committee**)
- **HB 241 (Tallman)**
Amends the Fire Police Act (**Title 35, Chapter 74, Subchapter D**), to provide for the appointment, powers and control of fire police officers and to confer powers on them at functions and incident sites in their municipalities.
The fire police currently have no structured chain of command. They are volunteer firefighters under their fire chief, yet take on police powers and work with the police authority while on fire police duties and are subject to the control of State Police as well. If there are conflicting orders, the fire police are left in limbo between two different organizations with no clear oversight.
The fire police are the first to be called and the last to be funded or taken responsibility for. As they are being used more and more by the municipalities at

a bargain price, they are receiving insufficient resources from their department and/or paying out of pocket to provide services. **(In House VA&EP Committee)**

- **Background Checks for EMS Personnel (Hennessey)**
Amends Act 37 of 2009, known as the EMS Act, by requiring background checks on EMS provider applicants for certification and bars certification due to certain convictions.

CONCEPTS/PROPOSALS

- **Loan Forgiveness Program (Watson)**
A program to incentivize individuals to return to their communities to volunteer, train and serve as firefighters and EMS personnel. This program authorizes a portion of a loan to be forgiven as a tool to recruit and retain volunteers.
- **High School Credit**
Require school districts to provide credit worthy emergency services courses as electives for junior and senior classes.
- **Hazardous Material Response**
Amends Act 165 of 1990 (Hazardous Material Emergency Planning and Response Act) by requiring the PEMA Council to review and incorporate training and equipment standards needed to prepare regional hazardous material response organizations to respond to biological/chemical emergencies that are a result of terrorism.