

Temporary Authority Allowing EMSRB to Suspend Sections of 144E

Prior to the COVID-19 pandemic the EMSRB received reports of staffing shortages and other operational pressures facing ambulance services across the state. The COVID-19 pandemic has exacerbated these conditions. Under the declaration of a peacetime emergency, many sections of Minn. Stat. 144E were suspended. This presented some challenges to the administration of the EMS system but also reduced some of the compliance responsibilities of ambulance services allowing them to operate with more flexibility.

To strike a balance between regulatory oversight and easing the burden facing ambulance services, this proposed legislation would ensure public health and safety by allowing the board to make targeted decisions to suspend sections of Minn. Stat. 144E as needed to help meet the specific needs of local EMS agencies based on their individual circumstances. These suspensions would be effective upon decision by the board and would remain in effect until ended by the board or June 30, 2023, whichever comes first.

Ambulance Service Licensing

144E.10 Ambulance Service Licensing

This section of the statute requires ambulance services to be licensed by the State of Minnesota. A board suspension of this section, in an extreme emergency, would provide relief related to expiration dates of EMS agency licenses if needed.

144E.101 Ambulance Service Requirements

A suspension in this section would alleviate multiple regulatory requirements including but not limited to ambulance personnel staffing, continual service, and requirements specific to the level of licensure, due to emergency medical services staffing shortages throughout the State of Minnesota.

- For example, the Board may suspend the requirements that a basic life support ambulance service would be required to staff, at minimum, an EMT and EMR, allowing the service to use an EMT and a driver. This allows flexibility of staffing models when there is a shortage of qualified personnel due to COVID-19 exposures or other absences.

144E.103 Equipment

A suspension of this section would alleviate requirements for specific equipment on ambulances. Multiple supply chain issues due to the COVID-19 pandemic are still affecting services' abilities to purchase and maintain required equipment. The ability to suspend this section reduces financial and regulatory pressure from services struggling to maintain inventories.

144E.12 Licensure of Air Ambulance Services

This section of the statute requires air ambulance services to be licensed by the State of Minnesota. A board suspension of this section, in an extreme emergency, would provide relief related to expiration dates of air ambulance licenses if needed.

144E.121 Air Ambulance Service Requirements

A suspension of this section removes requirements for specific personnel and equipment on air ambulances. This suspension does not affect any other federal or state statutory requirements.

144E.123 Prehospital Care Data

Under the declaration of a peacetime emergency, per Minn. Stat. Section 144E.266 ambulance services are not required to report their patient care data. During public health emergencies, prehospital care data is integral to the decision-making process. When ambulance services are not reporting, all stakeholders lose access to this important information.

144E.127 Interhospital; Interfacility Transfer

A suspension of this section by the board could allow for more operational flexibility for ambulance services that provide interhospital and interfacility transfers. This area of practice has had a more prominent role during COVID-19 as hospitals and health care systems work to load balance patients.

144E.15 Relocation of Base of Operations

The EMSRB depends on accurate information regarding the locations of services to ensure all Minnesotans have the access to emergency medical services. Under the declaration of a peacetime emergency, per Minn. Stat. Section 144E.266 ambulance services are not required to report the relocation of their base of operations. A waiver of this section would allow the board to in essence to permit emergent changes when an extreme emergency justify board action to protect public safety.