

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/11/97 H3/14/97 H3/24/97

A Bill

SENATE BILL 534

4
5 By: Senator Dowd
6 By: Representative Young

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 14-266-105 TO
10 AUTHORIZE BORDER CITIES TO REGULATE INTERCITY PATIENT
11 TRANSPORTS UNDER THE MUNICIPAL AMBULANCE LICENSING ACT;
12 AND FOR OTHER PURPOSES."

Subtitle

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14 "TO ALLOW BORDER CITIES TO REGULATE
15 INTERCITY PATIENT TRANSPORTS UNDER THE
16 MUNICIPAL AMBULANCE LICENSING ACT."
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Annotated § 14-266-105 is amended to read as
22 follows:

23 "14-266-105. Grant of authority.

24 (a) Cities of the first class and second class are authorized:

25 (1) To enact and establish standards, rules, and regulations
26 which are equal to or greater than those established by the state concerning
27 emergency medical services, as defined in this chapter, and emergency medical
28 technicians, emergency and nonemergency ambulances, and ambulance companies,
29 as defined under §§ 20-13-201 - 20-13-209 and 20-13-211; however, the
30 standards, rules, and regulations shall not be less than those established by
31 this state;

32 (2) To establish, own, operate, regulate, control, manage,
33 permit, franchise, license, and contract with, exclusively or otherwise,
34 emergency medical services, ambulances, ambulance companies, and their
35 relative properties, facilities, equipment, personnel, and any and all aspects
36 attendant to emergency medical services and ambulance operations, whether

1 municipally owned or otherwise, including, but not limited to, rates, fees,
2 charges, or other assessments as the cities consider proper to provide for the
3 health, safety, and welfare of their citizens;

4 (3) To establish an Emergency Medical Health Care Facilities
5 Board, hereinafter called Emergency Medical Services Board or EMS Board,
6 under §§ 14-137-101 - 14-137-123, and to exercise all the powers conferred in
7 this chapter and the power conferred under §§ 14-137-101 - 14-137-123, either
8 alone or in conjunction with the EMS Board;

9 (4) To provide emergency medical services to its residents and to
10 the residents of the county, surrounding counties, and municipalities within
11 those counties, but only if the governing bodies of the counties and
12 municipalities request and authorize the service under §§ 14-14-101, 14-14-103
13 - 14-14-110 or §§ 25-20-101 - 25-20-108;

14 (5) *To regulate all intracity patient transports and intercity
15 and intracounty patient transports originating from within the regulating city
16 and all intercity patient transports from within a border city which is the
17 regulating city to and from an adjoining city in the adjoining state.*

18 *However, this chapter shall not restrict or allow local regulation of not-for-
19 hire on a fee-for-service basis transportation, any intercounty patient
20 transports, or intercity patient transports to or from medical facilities
21 within the regulating city originating from anywhere outside the regulating
22 city. As used in this subdivision of this section, 'border city' means any
23 city or town in this state which is divided by a street state line from an
24 incorporated city or town in an adjoining state.*

25 (b)(1) A city regulating ambulance companies which contracts with
26 private ambulance companies under this chapter shall permit those companies to
27 offer ambulance services outside its boundaries.

28 (2) A city regulating ambulance services, which municipally owns
29 or operates those services, shall provide ambulance services to those
30 surrounding areas whose governing bodies request and authorize those services
31 but only if mutually agreeable contracts can be reached to provide those
32 services.

33 (3) All direct and indirect costs of extending those services
34 shall be borne entirely by patient user fees or subsidies provided by the
35 patient, municipality, or county to whom those services are rendered.

36 (4) In no event shall the city extending ambulance services

1 beyond its boundaries be required in any manner to subsidize or otherwise
2 extend financial support to render those services.

3 (c) The city shall have the same authority to regulate nonemergency
4 ambulance services."

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6 SECTION 2. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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10 SECTION 3. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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16 SECTION 4. All laws and parts of laws in conflict with this act are
17 hereby repealed.

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19 SECTION 5. EMERGENCY. It is found and determined by the General
20 Assembly of the State of Arkansas that natural and man-made disasters cross
21 city and county boundaries and that there is an urgent need to clarify the
22 existing authority of cities of the first class and cities of the second class
23 to establish, own, operate, regulate, control, manage, permit, franchise,
24 license, and contract with, exclusively or otherwise, emergency medical
25 services and non-emergency ambulance services in order to maintain and support
26 sufficient ambulances and personnel to respond to community needs in the event
27 of a natural or man-made disaster, and that the amendment of the municipal
28 ambulance licensing act will serve and accomplish this purpose. This act is
29 also intended to clarify the existing authority of cities and counties to
30 enter into interlocal agreements to provide such ambulance services in a
31 comprehensive and flexible fashion. Therefore an emergency is declared to
32 exist and this act being immediately necessary for the preservation of the
33 public peace, health and safety shall become effective on the date of its
34 approval by the Governor. If the bill is neither approved nor vetoed by the
35 Governor, it shall become effective on the expiration of the period of time
36 during which the Governor may veto the bill. If the bill is vetoed by the

1 Governor and the veto is overridden, it shall become effective on the date the
2 last house overrides the veto.

3 /s/Senator Dowd, et al

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