

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 1603, Page 2, Section 43.543, Lines 1-
2 27, by deleting all of said section and lines from the bill and inserting in lieu thereof the following:

3
4 "190.060. 1. An ambulance district shall have the following governmental powers, and all
5 other powers incidental, necessary, convenient or desirable to carry out and effectuate the express
6 powers:

7 (1) To establish and maintain an ambulance service within its corporate limits, and to
8 acquire for, develop, expand, extend and improve such service;

9 (2) To acquire land in fee simple, rights in land and easements upon, over or across land and
10 leasehold interests in land and tangible and intangible personal property used or useful for the
11 location, establishment, maintenance, development, expansion, extension or improvement of an
12 ambulance service. The acquisition may be by dedication, purchase, gift, agreement, lease, use or
13 adverse possession;

14 (3) To operate, maintain and manage the ambulance service, and to make and enter into
15 contracts for the use, operation or management of and to provide rules and regulations for the
16 operation, management or use of the ambulance service;

17 (4) To fix, charge and collect reasonable fees and compensation for the use of the
18 ambulance service according to the rules and regulations prescribed by the board from time to time;

19 (5) To borrow money and to issue bonds, notes, certificates, or other evidences of
20 indebtedness for the purpose of accomplishing any of its corporate purposes, subject to compliance
21 with any condition or limitation set forth in sections 190.001 to 190.090 or otherwise provided by
22 the Constitution of the state of Missouri;

23 (6) To employ or enter into contracts for the employment of any person, firm, or
24 corporation, and for professional services, necessary or desirable for the accomplishment of the
25 objects of the district or the proper administration, management, protection or control of its
26 property;

27 (7) To maintain the ambulance service for the benefit of the inhabitants of the area
28 comprising the district regardless of race, creed or color, and to adopt such reasonable rules and
29 regulations as may be necessary to render the highest quality of emergency medical care; to exclude
30 from the use of the ambulance service all persons who willfully disregard any of the rules and
31 regulations so established; to extend the privileges and use of the ambulance service to persons
32 residing outside the area of the district upon such terms and conditions as the board of directors
33 prescribes by its rules and regulations;

34 (8) To provide for health, accident, disability and pension benefits for the salaried members
35 of its organized ambulance district and such other benefits for the members' spouses and minor
36 children, through either, or both, a contributory or noncontributory plan. The type and amount of

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1 such benefits shall be determined by the board of directors of the ambulance district within the level
2 of available revenue of the pension program and other available revenue of the district. If an
3 employee contributory plan is adopted, then at least one voting member of the board of trustees
4 shall be a member of the ambulance district elected by the contributing members. The board of
5 trustees shall not be the same as the board of directors;

6 (9) To purchase insurance indemnifying the district and its employees, officers, volunteers
7 and directors against liability in rendering services incidental to the furnishing of ambulance
8 services. Purchase of insurance pursuant to this section is not intended to waive sovereign
9 immunity, official immunity or the Missouri public duty doctrine defenses; and

10 (10) To provide for life insurance, accident, sickness, health, disability, annuity, length of
11 service, pension, retirement and other employee-type fringe benefits, subject to the provisions of
12 section 70.615, for the volunteer members of any organized ambulance district and such other
13 benefits for their spouses and eligible unemancipated children, either through a contributory or
14 noncontributory plan, or both. For purposes of this section, "eligible unemancipated child" means a
15 natural or adopted child of an insured, or a stepchild of an insured who is domiciled with the
16 insured, who is less than twenty-three years of age, who is not married, not employed on a full-time
17 basis, not maintaining a separate residence except for full-time students in an accredited school or
18 institution of higher learning, and who is dependent on parents or guardians for at least fifty percent
19 of his or her support. The type and amount of such benefits shall be determined by the board of
20 directors of the ambulance district within available revenues of the district, including the pension
21 program of the district. The provision and receipt of such benefits shall not make the recipient an
22 employee of the district. Directors who are also volunteer members may receive such benefits while
23 serving as a director of the district.

24 2. The use of any ambulance service of a district shall be subject to the reasonable
25 regulation and control of the district and upon such reasonable terms and conditions as shall be
26 established by its board of directors.

27 3. A regulatory ordinance of a district adopted pursuant to any provision of this section may
28 provide for a suspension or revocation of any rights or privileges within the control of the district
29 for a violation of any regulatory ordinance.

30 4. Nothing in this section or in other provisions of sections 190.001 to 190.245 shall be
31 construed to authorize the district or board to establish or enforce any regulation or rule in respect to
32 the operation or maintenance of the ambulance service within its jurisdiction which is in conflict
33 with any federal or state law or regulation applicable to the same subject matter.

34 5. After August 28, 1998, the board of directors of an ambulance district that proposes to
35 contract for the total management and operation of the ambulance service, when that ambulance
36 district has not previously contracted out for said service, shall hold a public hearing within a thirty-
37 day period and shall make a finding that the proposed contract to manage and operate the ambulance
38 service will:

39 (1) Provide benefits to the public health that outweigh the associated costs;

40 (2) Maintain or enhance public access to ambulance service;

41 (3) Maintain or improve the public health and promote the continued development of the
42 regional emergency medical services system.

43 6. (1) Upon a satisfactory finding following the public hearing in subsection 5 of this
44 section and after a sixty-day period, the ambulance district may enter into the proposed contract,
45 however said contract shall not be implemented for at least thirty days.

46 (2) The provisions of subsection 5 of this section shall not apply to contracts which were
47 executed prior to August 28, 1998, or to the renewal or modification of such contracts or to the
48 signing of a new contract with an ambulance service provider for services that were previously

1 contracted out.

2 7. All ambulance districts authorized to adopt laws, ordinances, or regulations regarding
3 basic life support ambulances shall require such ambulances to be equipped with an automated
4 external defibrillator and be staffed by at least one individual trained in the use of an automated
5 external defibrillator.

6 8. The ambulance district may adopt procedures for conducting fingerprint background
7 checks on current and prospective employees and volunteers. The ambulance district may submit
8 applicant fingerprints to the Missouri state highway patrol, Missouri criminal records repository, for
9 the purpose of checking the person's criminal history. The fingerprints shall be used to search the
10 Missouri criminal records repository and shall be submitted to the Federal Bureau of Investigation
11 to be used for searching the federal criminal history files. The fingerprints shall be submitted on
12 forms and in the manner prescribed by the Missouri state highway patrol. Fees shall be pursuant to
13 section 43.530."; and

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15 Further amend said bill by amending the title, enacting clause, and intersectional references
16 accordingly.