

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5201

By Delegates Mallow, DeVault, Heckert, Willis, and
Summers

[Introduced January 25, 2024; Referred to the
Committee on Fire Departments and Emergency
Medical Services then Government Organization]

1 A BILL to amend and reenact §7-15-4 of the Code of West Virginia, 1931, as amended, relating to
 2 requiring counties to provide ambulance services at a rate of one ambulance for every
 3 20,000 residents.

Be it enacted by the Legislature of West Virginia:

ARTICLE 15. EMERGENCY AMBULANCE SERVICE ACT OF 1975.

**§7-15-4. Duty of county commissions to provide emergency ambulance service;
 emergency ambulance service authorities authorized; authorities to be public
 corporations.**

1 (a) Except as hereinafter provided and in addition to all other duties imposed upon it by law,
 2 the county commission shall cause emergency ambulance service to be made available to all the
 3 residents, at a ratio of one ambulance per 20,000 residents, of the county where such service is
 4 not otherwise available: *Provided*, That the duty imposed upon county commissions by this article
 5 shall not be construed in such manner as to impose a duty to cause such emergency ambulance
 6 service to be provided unless the commission shall make an affirmative determination that there
 7 are funds available therefor by the inclusion of a projected expenditure for such purpose in the
 8 current levy estimate, and in the event that such county commission shall make such
 9 determination the commission shall not be under a duty to cause such service to be provided
 10 beyond a level commensurate with the amount of funds actually available for such purpose.

11 (b) The county commission may provide the service directly through its agents, servants
 12 and employees; or through private enterprise; or by its designees; or by contracting with
 13 individuals, groups, associations, corporations or otherwise; or it may cause such services to be
 14 provided by an authority, as provided for in this article; and any municipality or county, or both, or
 15 any two or more municipalities within any county or contiguous counties, or any two or more
 16 contiguous counties, or any combination thereof, may create an authority in order to provide
 17 ambulance services at a ratio of one ambulance per 20,000 residents. Such authority shall be
 18 created upon the adoption, by the governing body of each participating government, acting

19 individually, of an appropriate ordinance or order. Each authority shall constitute a public
20 corporation, and as such, shall have perpetual existence. The authority shall be known by such
21 name as may be established by the board.

NOTE: The purpose of this bill is to require counties to provide ambulance services at a ratio of one ambulance for every 20,000 residents.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.