

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Enrolled

Senate Bill 737

By Senators Tarr, Phillips, Barret, Boley, Clements,
Jeffries, Maroney, Nelson, Oliverio, Plymale, Queen,
Roberts, Smith, and Woodrum

[Passed March 11, 2023; in effect 90 days from
passage]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §16-4C-25, relating to emergency medical services funding; creating a special
3 revenue account; providing for administration of the fund by the Office of Emergency
4 Medical Services; providing for rulemaking; and requiring an annual report.

Be it enacted by the Legislature of West Virginia:

ARTICLE 4C. EMERGENCY MEDICAL SERVICES ACT.

§16-4C-25. Emergency Medical Services Salary Enhancement Fund.

1 (a) There is hereby created in the State Treasury a special revenue fund designated and
2 known as the Emergency Medical Services Salary Enhancement Fund which is an interest- and
3 earnings-accumulating account. The fund is established to support supplementing the salaries of,
4 and providing crisis response for, county emergency medical service personnel as that term is
5 defined in §16-4C-3(g) of this code or a county designated or contracted emergency medical
6 service provider and all moneys must be spent to support increasing salaries of emergency
7 medical service workers and providing crisis response to encourage retention. The fund consists
8 of moneys appropriated by the Legislature, grants, gifts, devises, and donations from any public or
9 private source. All interest and other returns derived from the deposit and investment of moneys in
10 the Emergency Medical Services Salary Enhancement Fund shall be credited to the fund. Any
11 balance, including accrued interest and other returns, remaining in the fund at the end of each
12 fiscal year shall not revert to the General Revenue Fund but shall remain in the fund and be
13 expended as provided in this section. The Director of the West Virginia Office of Emergency
14 Medical Services shall administer the fund.

15 (b) The Director of the Office of Emergency Medical Services shall propose legislative
16 rules for promulgation and promulgate emergency rules pursuant to the provisions of §29A-3-15 of
17 this code. These rules shall include a means of distributing any available funds to counties to
18 accomplish the purpose of this section with an emphasis on the following factors:

19 (1) Counties who may demonstrate the most need;

- 20 (2) Counties that have a special levy for emergency medical services;
- 21 (3) Counties that have reached the maximum allowable rate on regular levies; and/or
- 22 (4) Counties that have a challenge recruiting and retaining emergency medical services
- 23 personnel due to interstate competition.

24 (c) The Office of Emergency Medical Services shall prepare an annual report to the
25 Legislative Oversight Commission on Health and Human Resources Accountability. The report
26 shall provide:

- 27 (1) A county-by-county accounting of how the funds were distributed;
- 28 (2) An accounting by county of the number of emergency medical service workers
- 29 receiving a salary enhancement; and
- 30 (3) Recommendations for continued funding.

31 The first report is due by July 1, 2024, and annually thereafter.