

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**SENATE BILL 1357**

Short Title: Ambulances/No Nonemergency Service Limits. (Public)

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Sponsors: Senators Holloman; Berger of Franklin, Brown, Dannelly, East, Graham, Jenkins, Shaw, and Tillman.

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Referred to: Rules and Operations of the Senate.

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May 16, 2006

A BILL TO BE ENTITLED

1 AN ACT ABOLISHING CERTAIN GEOGRAPHICAL SERVICE AREA  
2 LIMITATIONS ON NONEMERGENCY AMBULANCE SERVICE IN ORDER  
3 TO ALLOW BETTER SERVICE AND INCREASED COMPETITION AROUND  
4 THE STATE.  
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 131E-155 is amended by adding a new subdivision to  
8 read:

9 **"§ 131E-155. Definitions.**

10 As used in this Article, unless otherwise specified:

11 ...

12 (15a) Nonemergency transportation means any use of an ambulance to  
13 transport a patient for a nonemergency purpose, including moving a  
14 patient from one health care facility to another or taking a patient to a  
15 medical appointment."

16 **SECTION 2.** Article 7 of Chapter 131E of the General Statutes is amended  
17 by adding a new section to read:

18 **"§ 131E-160.1. Nonemergency transportation.**

19 (a) Notwithstanding any other provision of this Article, nonemergency  
20 transportation shall not be subject to defined geographical service areas. An EMS  
21 provider shall be free to provide nonemergency transportation to the public within each  
22 county and across county lines.

23 (b) Emergency medical services personnel may provide emergency medical  
24 services whenever and wherever the need may arise when providing nonemergency  
25 transportation.

26 (c) Nothing in this section shall be construed to impair the rights of any party  
27 under any valid contract relating to the provision of nonemergency transportation."

28 **SECTION 3.** G.S. 143-508(b) reads as rewritten:

1       "~~(b) The~~ Except as provided by G.S. 143-517.1, the North Carolina Medical Care  
2 Commission shall adopt, amend, and rescind rules to carry out the purpose of this  
3 Article and Articles 7 and 7A of Chapter 131E of the General Statutes regardless of  
4 other provisions of rule or law. These rules shall be adopted with the advice of the  
5 Emergency Medical Services Advisory Council. The Department of Health and Human  
6 Services shall enforce all rules adopted by the Commission. Nothing in this Chapter  
7 shall be construed to authorize the North Carolina Medical Care Commission to  
8 establish or modify the scope of practice of emergency medical personnel."

9               **SECTION 4.** G.S. 143-509(1) reads as rewritten:

10       "**§ 143-509. Powers and duties of Secretary.**

11       The Secretary of the Department of Health and Human Services has full  
12 responsibilities for supervision and direction of the emergency medical services  
13 program and, to that end, shall accomplish all of the following:

14               (1) ~~After~~ Except as provided by G.S. 143-517.1, and after consulting with  
15 the Emergency Medical Services Advisory Council and with any local  
16 governments that may be involved, seek the establishment of a  
17 Statewide Emergency Medical Services System, integrated with other  
18 health care providers and networks including, but not limited to, public  
19 health, community health monitoring activities, and special needs  
20 populations.

21               ..."

22               **SECTION 5.** Article 56 of Chapter 143 of the General Statutes is amended  
23 by adding a new section to read:

24       "**§ 143-517.1. Nonemergency transportation; free enterprise.**

25               (a) Notwithstanding any provision of this Article, nonemergency transportation  
26 as defined by G.S. 131E-155(15a) shall not be subject to defined geographical service  
27 areas. An EMS provider as defined by G.S. 131E-155(13a) shall be free to provide  
28 nonemergency transportation to the public within each county and across county lines.

29               (b) Emergency medical services personnel as defined by G.S. 131E-155(7) may  
30 provide emergency medical services as defined by G.S. 131E-155(6) whenever and  
31 wherever the need may arise when providing nonemergency transportation.

32               (c) Nothing in this section shall be construed to impair the rights of any party  
33 under any valid contract relating to the provision of nonemergency transportation."

34               **SECTION 6.** This act is effective when it becomes law.