

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1877 Session of  
2015

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WHITE, ZIMMERMAN, KORTZ, DUSH, RAVENSTAHL, MICCARELLI,  
DAVIDSON AND ROAE, MARCH 10, 2016

SENATOR VULAKOVICH, VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,  
IN SENATE, AS AMENDED, MAY 11, 2016

## AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in grants to fire companies and  
3 volunteer services, further providing for scope of chapter,  
4 for definitions, for award of grants for volunteer fire  
5 companies, for establishment, for award of grants for  
6 emergency medical services companies, for the Volunteer Fire  
7 Company Grant Program, for the Volunteer Ambulance Service  
8 Grant Program, for allocation of appropriated funds, for  
9 expiration of authority and for special provisions; and  
10 making an editorial change.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. The heading of Chapter 78 of Title 35 of the  
14 Pennsylvania Consolidated Statutes is amended to read:

## CHAPTER 78

15  
16 GRANTS TO FIRE COMPANIES AND

1 [VOLUNTEER SERVICES]

2 EMERGENCY MEDICAL SERVICES COMPANIES

3 Section 2. Sections 7801, 7802 and 7813 of Title 35 are  
4 amended to read:

5 § 7801. Scope of chapter.

6 This chapter relates to grants to fire companies and  
7 [volunteer ambulance services] emergency medical services  
8 companies.

9 § 7802. Definitions.

10 The following words and phrases when used in this chapter  
11 shall have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 "Advanced life support services." The term shall have the  
14 meaning given to it in Chapter 81 (relating to emergency medical  
15 services system).

16 "Agency." The Pennsylvania Emergency Management Agency.

17 "Basic life support services." The term shall have the  
18 meaning given to it in Chapter 81 (relating to emergency medical  
19 services system).

20 "Career emergency medical services." As follows:

21 (1) A for-profit chartered emergency medical service  
22 corporation, association or organization which meets all of  
23 the following:

24 (i) Is located in this Commonwealth.

25 (ii) Is licensed by the Department of Health.

26 (iii) Is not associated or affiliated with a  
27 hospital~~r~~, unless recognized in accordance with section <--  
28 7823(b.1) (relating to award of grants).

29 (iv) Is regularly engaged in the provision of  
30 emergency medical services, including basic life support

1 or advanced life support services and advanced life  
2 support squads as defined in 28 Pa. Code § 1027.1  
3 (relating to general provisions).

4 (2) The term shall not include a corporation,  
5 association or organization that is primarily engaged in the  
6 operation of invalid coaches which are intended for the  
7 routine transport of individuals who are convalescent or  
8 nonambulatory and who do not ordinarily require emergency  
9 medical treatment while in transit.

10 "Commissioner." The State Fire Commissioner.

11 "Emergency medical services company" or "EMS company." A  
12 career or volunteer emergency medical services company.

13 "Facility." A structure or portion thereof intended for the  
14 purpose of storage or protection of firefighting apparatus,  
15 ambulances and rescue vehicles and related equipment and gear.  
16 The term does not include meeting halls, social halls, social  
17 rooms, lounges or any other facility not directly related to  
18 firefighting or the furnishing of ambulance or rescue services.

19 "Fire company." A volunteer fire company or a municipal fire  
20 company located in this Commonwealth.

21 "Grant program." The Fire Company Grant Program established  
22 in Subchapter B (relating to fire company grant program) or the  
23 [Volunteer Ambulance Service] Emergency Medical Services Grant  
24 Program established in Subchapter C (relating to [volunteer  
25 ambulance service] emergency medical services grant program).

26 "Invalid coach." The term shall have the meaning given to it  
27 in Chapter 81 (relating to emergency medical services system).

28 "Volunteer [ambulance service] EMS company." Any nonprofit  
29 chartered corporation, association or organization located in  
30 this Commonwealth, which is licensed by the Department of Health

1 and is not associated or affiliated with any hospital, UNLESS  
 2 RECOGNIZED IN ACCORDANCE WITH SECTION 7823(B.1) (RELATING TO  
 3 AWARD OF GRANTS), and which is regularly engaged in the  
 4 provision of emergency medical services, including basic life  
 5 support or advanced life support services and advanced life  
 6 support squads as defined in 28 Pa. Code § [1005.1 (relating to  
 7 general provisions)] 1027.1. The term shall not include any  
 8 corporation, association or organization that is primarily  
 9 engaged in the operation of invalid coaches which are intended  
 10 for the routine transport of persons who are convalescent or  
 11 otherwise nonambulatory and do not ordinarily require emergency  
 12 medical treatment while in transit.

13 "Volunteer fire company." A nonprofit chartered corporation,  
 14 association or organization located in this Commonwealth which  
 15 provides fire protection or rescue services and which may offer  
 16 other voluntary emergency services within this Commonwealth.  
 17 Voluntary emergency services provided by a volunteer fire  
 18 company may include voluntary ambulance and voluntary rescue  
 19 services.

20 "Volunteer rescue company." A nonprofit chartered  
 21 corporation, association or organization located in this  
 22 Commonwealth that provides rescue services as part of the  
 23 response to fires or vehicle accidents within this Commonwealth.  
 24 § 7813. Award of grants.

25 (a) Authorization.--The agency is authorized to make a grant  
 26 award to each eligible fire company for the following:

- 27 (1) Construction and renovation of the fire company's
- 28 facility and purchase or repair of fixtures and furnishings
- 29 necessary to maintain or improve the capability of the
- 30 company to provide fire, ambulance and rescue services.

1           (2) Repair of firefighting, ambulance or rescue  
2 equipment or purchase thereof.

3           (3) Debt reduction associated with paragraph (1) or (2).

4           (4) Training and certification of members.

5           (5) Training and education of the general public  
6 regarding fire prevention.

7           (a.1) Additional uses for paid municipal fire companies.--In  
8 addition to the authorized uses under subsection (a), the  
9 commissioner may establish additional authorized uses of grant  
10 funds for paid municipal fire companies. Additional authorized  
11 uses established under this subsection must be published in the  
12 Pennsylvania Bulletin and on the commissioner's publicly  
13 accessible Internet website.

14           (a.2) Additional grants.--Each fire company with not more  
15 than 20 members who are certified by the National Professional  
16 Qualifications Board or by the International Fire Service  
17 Accreditation Congress and are verified by the Pennsylvania  
18 State Fire Academy at a minimum level of Fire Fighter 1 on or  
19 before July 1 of the year of the grant application shall be  
20 eligible to receive additional grants under a certification  
21 bonus point system as administered by the commissioner.

22           (b) Limits.--

23           (1) Except as provided in paragraph (3), grants shall be  
24 not less than \$2,500 and not more than \$15,000 per fire  
25 company.

26           (2) Grants may be awarded on a pro rata basis if the  
27 total dollar amount of the approved application exceeds the  
28 amount of funds appropriated by the General Assembly for this  
29 purpose.

30           (3) In a municipality where there are two or more

1 volunteer fire companies and if two or more volunteer fire  
2 companies consolidated their use of equipment, firefighters  
3 and services within [five] 10 years preceding the date of the  
4 current year application submission deadline, the  
5 consolidated entity shall be deemed eligible to receive a  
6 grant not to exceed the amount of the combined total for  
7 which the individual companies would have been eligible had  
8 they not consolidated.

9 (c) Time for filing application and department action.--

10 (1) Within 30 days of June 28, 2007, for the fiscal  
11 years beginning July 1, 2006, and July 1, 2007, and by  
12 September 1 of each year thereafter, the agency shall provide  
13 written instructions for grants under this chapter to:

14 (i) except as set forth in subparagraph (ii), the  
15 fire chief and president of every fire company; or

16 (ii) in the case of a municipal fire company, the  
17 chief executive of the municipality.

18 (2) Within 45 days of June 28, 2007, for the fiscal  
19 years beginning July 1, 2006, and July 1, 2007, and by  
20 September 8 of each year thereafter, the agency shall provide  
21 applications to individuals specified in paragraph (1). The  
22 application for the fiscal years commencing July 1, 2006, and  
23 July 1, 2007, shall be a combined application. Fire companies  
24 seeking grants under this chapter shall submit completed  
25 applications to the agency. The application period shall  
26 remain open for 45 days each year. The agency shall act to  
27 approve or disapprove applications within 60 days of the  
28 application submission deadline each year. Applications which  
29 have not been approved or disapproved by the agency within 60  
30 days after the close of the application period each year

1 shall be deemed approved.

2 (d) Eligibility.--To receive grant funds under this chapter,  
3 a fire company [shall have] must:

4 (1) Have actively responded to [one or more] at least 10  
5 fire or rescue emergencies during the previous calendar year  
6 [and must have signed and be under an agreement to actively  
7 participate in the Pennsylvania Fire Information Reporting  
8 System which is administered by the agency].

9 (2) Be actively participating in the Pennsylvania Fire  
10 Information Reporting System under a signed agreement. The  
11 commissioner shall develop and publish guidelines specifying  
12 the criteria necessary to determine the level of  
13 participation in the Pennsylvania Fire Information Reporting  
14 System to remain eligible for grant funds.

15 Section 3. The heading of Subchapter C of Chapter 78 of  
16 Title 35 is amended to read:

17 SUBCHAPTER C

18 [VOLUNTEER AMBULANCE SERVICE]

19 EMERGENCY MEDICAL SERVICES GRANT PROGRAM

20 Section 4. Sections 7821, 7823, 7831, 7832, 7833, 7841 and  
21 7842(b) of Title 35 are amended to read:

22 § 7821. Establishment.

23 The [Volunteer Ambulance Service] Emergency Medical Services  
24 Grant Program is established and shall be administered by the  
25 agency. Grants provided under this program shall be used to  
26 improve and enhance the capabilities of [the volunteer ambulance  
27 services] EMS companies to provide ambulance, emergency medical,  
28 basic life support and advanced life support services.

29 § 7823. Award of grants.

30 (a) Authorization.--The agency is authorized to make a grant

1 award to each eligible [volunteer ambulance service] EMS company  
2 for the following:

3 (1) Construction and renovation of the [volunteer  
4 ambulance service's] EMS company's facility and purchase or  
5 repair of fixtures, furnishings, office equipment and support  
6 services necessary to maintain or improve the capability of  
7 the ambulance service to provide ambulance, emergency  
8 medical, basic life support and advanced life support  
9 services.

10 (2) Repair of ambulance equipment or purchase thereof.

11 (3) Debt reduction associated with paragraph (1) or (2).

12 (4) Training and certification of members.

13 (b) Limits.--

14 (1) Grants shall be not less than \$2,500 and not more  
15 than \$10,000 per [volunteer ambulance service] EMS company.

16 (2) Grants may be awarded on a pro rata basis if the  
17 total dollar amount of the approved application exceeds the  
18 amount of funds appropriated by the General Assembly for this  
19 purpose.

20 (3) If two or more [volunteer ambulance services] EMS  
21 companies consolidated their use of equipment, personnel and  
22 services within [five] 10 years preceding the date of the  
23 current year application submission deadline, the  
24 consolidated entity shall be deemed eligible to receive a  
25 grant not to exceed the amount of the combined total for  
26 which the individual companies would have been eligible had  
27 they not consolidated.

28 (b.1) Eligibility.--To receive grant funds under this  
29 chapter, an EMS company must be designated by a municipality as  
30 the municipality's primary EMS provider.



1 (c) Time for filing application and department action.--

2 (1) Within 30 days of June 28, 2007, for the fiscal  
3 years commencing July 1, 2006, and July 1, 2007, and by  
4 September 1 of each year thereafter, the agency shall provide  
5 written instructions for grants under this chapter to the  
6 president of every [volunteer ambulance service] EMS company  
7 in this Commonwealth.

8 (2) Within 45 days of the effective date of June 28,  
9 2007, for the fiscal years commencing July 1, 2006, and July  
10 1, 2007, and by September 8 of each year, the agency shall  
11 provide applications to the president of every [volunteer  
12 ambulance service] EMS company. The application for the  
13 fiscal years commencing July 1, 2006, and July 1, 2007, shall  
14 be a combined application. [Volunteer ambulance services] EMS  
15 companies seeking grants under this chapter shall submit  
16 completed applications to the agency. The application period  
17 shall remain open for 45 days each year. The agency shall act  
18 to approve or disapprove applications within 60 days of the  
19 application submission deadline each year. Applications which  
20 have not been approved or disapproved by the agency within 60  
21 days after the close of the application period each year  
22 shall be deemed approved.

23 § 7831. [Volunteer] Fire Company Grant Program.

24 The sum of \$22,000,000 of the amount appropriated to the  
25 agency for [volunteer] fire company grants under section [225  
26 of the act of March 20, 2003 (P.L.463, No.1A), known as the  
27 General Appropriation Act of 2003] 1799-E of the act of April  
28 9, 1929 (P.L.343, No.176), known as The Fiscal Code, shall be  
29 expended for the purpose of making grants to eligible  
30 [volunteer] fire companies under Subchapter B (relating to

1 [volunteer] fire company grant program).

2 § 7832. [Volunteer Ambulance Service] Emergency Medical  
3 Services Company Grant Program.

4 The sum of \$3,000,000 of the amount appropriated to the  
5 agency for [volunteer] EMS company grants under section [225  
6 of the act of March 20, 2003 (P.L.463, No.1A), known as the  
7 General Appropriation Act of 2003] 1799-E of the act of April  
8 9, 1929 (P.L.343, No.176), known as The Fiscal Code, shall be  
9 expended for the purpose of making grants to eligible  
10 [volunteer ambulance] EMS companies under Subchapter C  
11 (relating to [volunteer ambulance service] emergency medical  
12 services company grant program).

13 § 7833. Allocation of appropriated funds.

14 (a) Administration.--

15 (1) Except as provided under paragraph (2), no money  
16 from the appropriation for grants shall be used for expenses  
17 or costs incurred by the agency for the administration of the  
18 grant programs authorized under Subchapters B (relating to  
19 fire company grant program) and C (relating to [volunteer  
20 ambulance service] emergency medical services grant program).

21 (2) Notwithstanding paragraph (1), [each fiscal year the  
22 commissioner may use an amount of up to \$250,000 of the total  
23 amount of funds transferred or appropriated to the grant  
24 program under Subchapter B for the administrative costs to  
25 implement that grant program.] the commissioner may use not  
26 more than \$800,000 of any unencumbered funds remaining in the  
27 fund for administrative costs for grant program  
28 implementation under this chapter.

29 (b) Grant allocation.--Unless otherwise expressly stated,  
30 money appropriated to the agency for purposes of company grants

1 shall be allocated as follows:

2 (1) Eighty-eight percent of the amount appropriated  
3 shall be used for making grants to eligible fire companies  
4 under Subchapter B.

5 (2) Twelve percent of the amount appropriated shall be  
6 used for making grants to eligible [volunteer ambulance] EMS  
7 companies under Subchapter C.

8 § 7841. Expiration of authority.

9 The authority of the agency to award grants under  
10 Subchapters B (relating to fire company grant program) and C  
11 (relating to [volunteer ambulance service] emergency medical  
12 services grant program) shall expire June 30, [2016] 2020.

13 § 7842. Special provisions.

14 \* \* \*

15 (b) Delinquency.--An applicant for a grant under this  
16 chapter who is delinquent in loan payments to the Pennsylvania  
17 Volunteer Loan Assistance Program established under the act of  
18 July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire  
19 Company, Ambulance Service and Rescue Squad Assistance Act,  
20 [shall agree to] must use its grant funds to pay any arrears to  
21 the Commonwealth or it will not be qualified to receive a grant.  
22 Any organization [agreeing to this arrangement who] that fails  
23 to [make the payment to the Commonwealth] comply with this  
24 subsection shall be disqualified from applying to the grant  
25 program for a period of three years.

26 \* \* \*

27 Section 5. This act shall take effect immediately.