



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5899/1
JPC/SWB/JAM/KP:wlj

2023 SENATE BILL 1074

February 26, 2024 - Introduced by Senators MARKLEIN, BALLWEG, TESTIN, QUINN and FELZKOWSKI, cosponsored by Representatives KURTZ, SUMMERFIELD, DITTRICH, GREEN, MAXEY, MELOTIK, MICHALSKI, MURSAU, NOVAK, O'CONNOR, PALMERI, ROZAR, SCHMIDT, SNODGRASS and TRANEL. Referred to Committee on Health.

1 **AN ACT** *to amend* 79.05 (2) (c); and *to create* 20.235 (1) (dr), 20.292 (1) (b), 20.465
2 (3) (du), 38.04 (9m), 39.378, 66.0602 (3) (e) 6m., 101.575 (6) (a) 5. and 256.04 (3)
3 of the statutes; **relating to:** reimbursement of emergency services under the
4 Medical Assistance program when a patient is not transported; emergency
5 medical services education; tuition and materials reimbursement for
6 emergency medical responders and emergency medical services practitioners;
7 reporting on changes to the scope of practice of emergency medical responders
8 and emergency medical services practitioners; a levy limit exemption for
9 regional emergency medical systems; eligible expenses of fire dues program; a
10 live 911 pilot program; eligibility for the expenditure restraint incentive
11 program; and making an appropriation.

Analysis by the Legislative Reference Bureau

Medical Assistance reimbursement for nontransport ambulance services

Under current law, the Department of Health Services uses a standardized coding system produced by the federal Centers for Medicare and Medicaid Services

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to describe certain products, supplies, and services for those submitting claims for reimbursement under the Medical Assistance program, which is known as the Healthcare Common Procedure Coding System (HCPCS). The Medical Assistance program is a joint state and federal program that provides health services to individuals who have limited financial resources. This bill directs DHS to change, for dates of service beginning January 1, 2025, the current maximum reimbursement allowed under the Medical Assistance program for services provided under HCPCS code A0998, often referenced as “ambulance response and treatment, no transport,” from the current maximum allowable fee to a rate that matches the maximum allowable rate under the Medical Assistance program for reimbursement of ambulance services that include patient transport.

Emergency medical services education

The bill requires the Technical College System Board to provide grants to technical colleges that provide emergency medical services courses that train and prepare individuals for initial certification or initial licensure as an emergency medical responder or an emergency medical services practitioner.

Tuition and materials costs for emergency medical responders and emergency medical services practitioners

The bill requires the Higher Educational Aids Board to develop a program to reimburse individuals or their employers for the cost of tuition and materials necessary for the individual to qualify for initial certification or initial licensure as an emergency medical responder or an emergency medical services practitioner. To be eligible for reimbursement for the costs necessary to qualify for an initial certification or license, the individual must satisfactorily complete any required course of instruction, pass any required examination, satisfy any further requirement established by HEAB, and receive a certification or license from DHS.

Report on scope of practice changes

The bill requires the Emergency Medical Services Board, in consultation with DHS and the Technical College System Board, to annually submit a report to the legislature on national changes to the scope of practice of emergency medical responders, emergency medical services practitioners, or any equivalent practitioners in other jurisdictions and how those scope of practice changes may affect training for emergency medical responders and emergency medical services practitioners in this state.

Levy limit exception

Generally, under current law, local levy limits are applied to the property tax levies that are imposed by political subdivisions. A political subdivision may not increase its levy by a percentage that exceeds its “valuation factor,” which is the greater of 0 percent or the percentage change in the political subdivision’s equalized value due to new construction, less improvements removed. Current law also contains a number of exceptions to the levy limit, such as amounts a county levies for a countywide emergency medical system, for a county children with disabilities education board, and for certain bridge and culvert construction and repair. The bill creates an additional exception to local levy limits. Under the bill, the amounts a city,

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village, or town levies for a regional emergency medical system are exempt. Under the bill, “regional” refers to an area consisting of at least 232 square miles or including at least eight municipalities.

Eligible expenses of fire dues program

The bill allows cities, villages, and towns to spend fire dues payments received from the Department of Safety and Professional Services on purchasing emergency medical services equipment and training emergency medical responders and emergency medical services practitioners. Under current law, eligible cities, villages, and towns receive fire dues payments from DSPS, which are funded from assessments equal to 2 percent of premiums for private fire insurance and 2 percent of premiums paid to the state fire fund for the insurance of certain local government property. Current law requires fire dues payments to be spent on purchasing fire protection equipment, providing fire inspection and public education, training fire fighters and fire inspectors, and funding fire fighters’ pension funds or other special funds benefiting disabled or aged fire fighters.

Live 911 pilot program

The bill directs the Department of Military Affairs to distribute moneys through grants to enable real-time video and multimedia communications between public safety answering points and individuals who call for emergency services. Further, the bill requires DMA to annually report to the legislature on the performance of the pilot program, including information on outcomes from the pilot program, the number of responses from dispatch that were altered due to increased information from the pilot program, and any cost savings associated with the pilot program. The bill does not require DMA to submit a report to the legislature in any year that DMA does not award any moneys through grants for the live 911 pilot program.

Expenditure restraint incentive program

The bill excludes the following from being considered in determining eligibility for an expenditure restraint incentive program payment: 1) amounts levied for a regional emergency medical system that are exempt from local levy limits; and 2) fee increases apportioned to each municipality operating a joint fire department or joint emergency medical services district that are exempt from local levy limits. Under current law, a municipality is eligible to receive an expenditure restraint incentive program payment if its property tax levy is greater than 5 mills and if the annual increase in its municipal budget, subject to certain exceptions, is less than the sum of factors based on inflation and the increased value of property in the municipality as a result of new construction.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 1074**SECTION 1**

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

2023-24 2024-25

3 **20.235 Higher educational aids board**

4 (1) STUDENT SUPPORT ACTIVITIES

5 (dr) Emergency medical services edu-

6 cation reimbursement GPR B -0- 3,500,000

7 **20.292 Technical College System Board**

8 (1) TECHNICAL COLLEGE SYSTEM

9 (b) Emergency medical services edu-

10 cation GPR A 7,000,000 7,000,000

11 **20.465 Military affairs, department of**

12 (3) EMERGENCY MANAGEMENT SERVICES

13 (du) Live 911 pilot program GPR C -0- 100,000

14 **SECTION 2.** 20.235 (1) (dr) of the statutes is created to read:

15 20.235 (1) (dr) *Emergency medical services education reimbursement.*

16 Biennially, the amounts in the schedule to reimburse individuals for the cost of
17 tuition and materials necessary to qualify for initial licensure or initial certification
18 as an emergency medical services practitioner or an emergency medical responder
19 under s. 256.15.

20 **SECTION 3.** 20.292 (1) (b) of the statutes is created to read:

21 20.292 (1) (b) *Emergency medical services education.* The amounts in the
22 schedule for the provision of emergency medical services courses under s. 38.04 (9m).

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1 **SECTION 4.** 20.465 (3) (du) of the statutes is created to read:

2 20.465 (3) (du) *Live 911 pilot program.* As a continuing appropriation, the
3 amounts in the schedule for grants under 2023 Wisconsin Act (this act), section
4 11 (2).

5 **SECTION 5.** 38.04 (9m) of the statutes is created to read:

6 **38.04 (9m) EMERGENCY MEDICAL SERVICES EDUCATION.** From the appropriation
7 account under s. 20.292 (1) (b), the board shall provide grants to technical colleges
8 that provide emergency medical services courses that train and prepare individuals
9 for initial certification or initial licensure as an emergency medical responder, as
10 defined in s. 256.01 (4p), or an emergency medical services practitioner, as defined
11 in s. 256.01 (5).

12 **SECTION 6.** 39.378 of the statutes is created to read:

13 **39.378 Tuition and material costs for emergency medical services. (1)**
14 From the appropriation under s. 20.235 (1) (dr), the board shall develop a program
15 to reimburse the individuals described under sub. (2) for the tuition and materials
16 costs incurred in completing a course at a technical college in this state as necessary
17 to qualify for initial licensure or initial certification.

18 **(2)** Individuals eligible for reimbursement under this section include all of the
19 following:

20 (a) An individual who is applying for an initial license as an emergency medical
21 services practitioner under s. 256.15 (6) if the individual has personally paid the
22 tuition or materials costs for the course.

23 (b) An individual who is applying for initial certification as an emergency
24 medical responder under s. 256.15 (8) if the individual has personally paid the tuition
25 or materials costs for the course.

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1 (c) The employer of an individual listed under par. (a) or (b) if the employer has
2 paid for the applicant's cost of tuition or materials for the course.

3 **(3)** To be eligible for reimbursement under this section, an individual described
4 under sub. (2) shall satisfy the following criteria:

5 (a) For individuals who are applying for initial licensure as an emergency
6 medical services practitioner under s. 256.15 (6) (a):

7 1. The individual has satisfactorily completed a course of instruction and
8 training required under s. 256.15 (6) (a) 2.

9 2. The individual has passed any examination required under s. 256.15 (6) (a)

10 3.

11 3. The individual has met all additional qualifications for licensure as may be
12 required by the department of health services under s. 256.15 (6) (a) 4.

13 4. The individual has received an initial license from the department of health
14 services as an emergency medical services practitioner under s. 256.15 (6).

15 (b) For individuals who are applying for initial certification as an emergency
16 medical responder under s. 256.15 (8) (b), the individual has satisfactorily completed
17 a course of instruction required under s. 256.15 (8) (b) 3. and has received
18 certification as an emergency medical responder from the department of health
19 services under s. 256.15 (8) (b).

20 (c) For employers who have paid for an individual's costs of tuition or materials
21 as described under sub. (2) (c), the individual satisfies the criteria under par. (a) or
22 (b).

23 **(4)** To receive reimbursement under this section, individuals described under
24 sub. (2) who are eligible for reimbursement under sub. (3) shall apply to the board
25 for reimbursement on a form prescribed by the board.

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1 **SECTION 7.** 66.0602 (3) (e) 6m. of the statutes is created to read:

2 66.0602 (3) (e) 6m. The amount that a municipality levies in that year for a
3 regional emergency medical system. In this subdivision, “regional” means an area
4 consisting of at least 232 square miles or including at least 8 municipalities.

5 **SECTION 8.** 79.05 (2) (c) of the statutes, as affected by 2023 Wisconsin Act 12,
6 is amended to read:

7 79.05 (2) (c) Its municipal budget; exclusive of principal and interest on
8 long-term debt and exclusive of revenue sharing payments under s. 66.0305,
9 payments of premiums under s. 66.0137 (5) (c) 1. and 1m., levy limit adjustments
10 under s. 66.0602 (3) (e) 6m. and (h), revenues generated from a tax imposed under
11 s. 77.701, payments received under s. 79.038, expenditures of payments due to the
12 termination of a tax incremental district under s. 79.096 (3), recycling fee payments
13 under s. 289.645, expenditures of grant payments under s. 16.297 (1m),
14 unreimbursed expenses related to an emergency declared under s. 323.10,
15 expenditures from moneys received pursuant to P.L. 111-5, grants received from the
16 state or federal government for the purpose of providing law enforcement, fire
17 protection, or emergency medical services, and expenditures made pursuant to a
18 purchasing agreement with a school district whereby the municipality makes
19 purchases on behalf of the school district; for the year of the statement under s.
20 79.015 increased over its municipal budget as adjusted under sub. (6); exclusive of
21 principal and interest on long-term debt and exclusive of revenue sharing payments
22 under s. 66.0305, payments of premiums under s. 66.0137 (5) (c) 1. and 1m., levy limit
23 adjustments under s. 66.0602 (3) (e) 6m. and (h), revenues generated from a tax
24 imposed under s. 77.701, payments received under s. 79.038, expenditures of
25 payments due to the termination of a tax incremental district under s. 79.096 (3),

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1 recycling fee payments under s. 289.645, expenditures of grant payments under s.
2 16.297 (1m), unreimbursed expenses related to an emergency declared under s.
3 323.10, expenditures from moneys received pursuant to P.L. 111-5, grants received
4 from the state or federal government for the purpose of providing law enforcement,
5 fire protection, or emergency medical services, and expenditures made pursuant to
6 a purchasing agreement with a school district whereby the municipality makes
7 purchases on behalf of the school district; for the year before that year by less than
8 the sum of the inflation factor and the valuation factor, rounded to the nearest 0.10
9 percent.

10 **SECTION 9.** 101.575 (6) (a) 5. of the statutes is created to read:

11 101.575 (6) (a) 5. The purchase of emergency medical services equipment and
12 training of emergency medical responders, as defined in s. 256.01 (4p), and
13 emergency medical services practitioners, as defined in s. 256.01 (5).

14 **SECTION 10.** 256.04 (3) of the statutes is created to read:

15 256.04 (3) Annually, no later than September 15, in consultation with the
16 department of health services and the technical college system board, submit a
17 report to the chief clerk of each house of the legislature for distribution to the
18 legislature under s. 13.172 (2) on national changes to the scope of practice of
19 emergency medical responders, emergency medical services practitioners, or any
20 equivalent practitioners in other jurisdictions and how those scope of practice
21 changes may affect training for emergency medical responders and emergency
22 medical services practitioners in this state.

23 **SECTION 11. Nonstatutory provisions.**

24 (1) **MEDICAL ASSISTANCE REIMBURSEMENT RATES FOR NONTRANSPORT AMBULANCE**
25 **SERVICES.** For dates of service beginning January 1, 2025, the department of health

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1 services shall increase reimbursement rates for services provided and reimbursable
2 under the healthcare common procedure coding system code A0998 with a
3 description of “ambulance response and treatment, no transport” from the current
4 maximum allowable fee to a rate that matches the maximum allowable rate under
5 the Medical Assistance program for reimbursement of ambulance services that
6 include patient transport.

7 (2) LIVE 911 PILOT PROGRAM.

8 (a) *Grants.* From the appropriation under s. 20.465 (3) (du), the department
9 of military affairs may distribute moneys through grants to public safety answering
10 points to enable real-time video and multimedia communications between public
11 safety answering points and individuals who call for emergency services.

12 (b) *Report.* Annually, no later than October 15, the department of military
13 affairs shall submit a report to the chief clerk of each house of the legislature for
14 distribution to the legislature under s. 13.172 (2) on the performance of the pilot
15 program under this subsection. The report shall include information on outcomes
16 from the pilot program, the number of responses from dispatch that were altered due
17 to increased information from the pilot program, and any cost savings associated
18 with the pilot program. This paragraph does not apply in any year that the
19 department of military affairs does not distribute any moneys through grants under
20 this subsection.

SECTION 12. Fiscal changes.

21 (1) MEDICAL ASSISTANCE RATE INCREASE; NONTRANSPORT AMBULANCE SERVICES. In
22 the schedule under s. 20.005 (3) for the appropriation to the department of health
23 services under s. 20.435 (4) (b), the dollar amount for fiscal year 2024-25 is increased
24

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1 by \$860,000 to increase Medical Assistance reimbursement rates for nontransport
2 ambulance services under Section 11 (1) of this act.

3 (2) POSITION INCREASE IN THE DEPARTMENT OF MILITARY AFFAIRS. In the schedule
4 under s. 20.005 (3) for the appropriation to the department of military affairs under
5 s. 20.465 (3) (qm), the dollar amount for fiscal year 2023-24 is increased by \$100,000
6 to increase the authorized FTE positions for the department by 1.0 SEG position for
7 the purpose of administering the grants under Section 11 (2) (a) of this act. In the
8 schedule under s. 20.005 (3) for the appropriation to the department of military
9 affairs under s. 20.465 (3) (qm), the dollar amount for fiscal year 2024-25 is increased
10 by \$100,000 for the purpose of funding the position authorized under this subsection.

11 **SECTION 13. Effective dates.** This act takes effect on the day after publication,
12 except as follows:

13 (1) MUNICIPAL BUDGET TEST; EXPENDITURE RESTRAINT INCENTIVE PROGRAM. The
14 treatment of s. 79.05 (2) (c) takes effect on July 1, 2024.

15 (END)