

105TH CONGRESS
1ST SESSION

S. 238

To amend title XVIII of the Social Security Act to ensure medicare reimbursement for certain ambulance services, and to improve the efficiency of the emergency medical system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 1997

Mr. GRAMS (for himself and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to ensure medicare reimbursement for certain ambulance services, and to improve the efficiency of the emergency medical system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Medical
5 Services Efficiency Act of 1997”.

1 **TITLE I—MEDICARE COVERAGE**
2 **OF CERTAIN AMBULANCE**
3 **SERVICES**

4 **SEC. 101. MEDICARE COVERAGE OF CERTAIN AMBULANCE**
5 **SERVICES.**

6 (a) COVERAGE.—Section 1861(s)(7) of the Social Se-
7 curity Act (42 U.S.C. 1395x(s)(7)) is amended by striking
8 “regulations;” and inserting “regulations, except that
9 such regulations shall not fail to treat ambulance services
10 as medical and other health services solely because the ul-
11 timate diagnosis of the individual receiving the ambulance
12 services results in the conclusion that ambulance services
13 were not necessary, as long as the request for ambulance
14 services is made after the sudden onset of a medical condi-
15 tion that is manifested by symptoms of such sufficient se-
16 verity, including severe pain, that a prudent layperson,
17 who possesses an average knowledge of health and medi-
18 cine, could reasonably expect to result, without immediate
19 medical attention, in—

20 “(A) placing the individual’s health in serious
21 jeopardy;

22 “(B) serious impairment to the individual’s
23 bodily functions; or

24 “(C) serious dysfunction of any bodily organ or
25 part of the individual;”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) shall apply to items and services provided
 3 on or after the date of enactment of this Act.

4 **TITLE II—AMBULANCE SERV-**
 5 **ICES ADVISORY GROUP FOR**
 6 **THE HEALTH CARE FINANC-**
 7 **ING ADMINISTRATION**

8 **SEC. 201. ESTABLISHMENT OF ADVISORY GROUP.**

9 (a) ESTABLISHMENT.—There is established an advi-
 10 sory group to be known as the Health Care Financing Ad-
 11 ministration Advisory Group for Ambulance Services (in
 12 this title referred to as the “Advisory Group”).

13 (b) MEMBERSHIP.—

14 (1) COMPOSITION.—The Advisory Group shall
 15 be composed of 17 members of whom—

16 (A) 1 shall be appointed by the Director of
 17 each of the 10 operating districts within the
 18 National Highway and Traffic Safety Adminis-
 19 tration;

20 (B) 1 shall be appointed by the President;

21 (C) 2 shall be appointed by the Adminis-
 22 trator of the Health Care Financing Adminis-
 23 tration;

24 (D) 1 shall be appointed by the Majority
 25 Leader of the Senate;

1 (E) 1 shall be appointed by the Minority
 2 Leader of the Senate;

3 (F) 1 shall be appointed by the Speaker of
 4 the House of Representatives; and

5 (G) 1 shall be appointed by the Minority
 6 Leader of the House of Representatives.

7 (2) INCLUSION OF CERTAIN DISCIPLINES ON
 8 ADVISORY GROUP.—In making appointments of
 9 members under paragraph (1), the appointing offi-
 10 cials described in each subparagraph of that para-
 11 graph shall consult and collaborate with each other
 12 in order to ensure that the following groups are rep-
 13 resented on the Advisory Group:

14 (A) Physicians who provide emergency
 15 medical services.

16 (B) Individuals who provide emergency
 17 ground and air transport services.

18 (C) Volunteer, private, and public emer-
 19 gency medical service providers.

20 (D) Trauma care providers.

21 (E) Patient's rights advocates.

22 (3) BACKGROUND.—Except in the case of a
 23 member of the Advisory Group described in para-
 24 graph (2)(E), any member of the Advisory Group

1 appointed under paragraph (1) should have signifi-
2 cant experience with the provision of ambulance
3 services under the medicare program under title
4 XVIII of the Social Security Act (42 U.S.C. 1395 et
5 seq.).

6 (4) DATE.—The appointments of the members
7 of the Advisory Group shall be made not later than
8 January 1, 1998.

9 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
10 bers shall be appointed for a term of 4 years. Any vacancy
11 in the Advisory Group shall not affect its powers, but shall
12 be filled in the same manner as the original appointment.

13 (d) INITIAL MEETING.—Not later than 30 days after
14 the date on which all members of the Advisory Group have
15 been appointed, the Advisory Group shall hold its first
16 meeting.

17 (e) MEETINGS.—The Advisory Group shall meet at
18 the call of the Chairperson.

19 (f) QUORUM.—A majority of the members of the Ad-
20 visory Group shall constitute a quorum, but a lesser num-
21 ber of members may hold hearings.

22 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
23 Advisory Group shall select a Chairperson and Vice Chair-
24 person from among its members.

1 **SEC. 202. DUTIES OF THE ADVISORY GROUP.**

2 (a) STUDY.—The Advisory Group shall conduct a
3 thorough study of all matters relating to the provision of
4 ambulance services under the medicare program under
5 title XVIII of the Social Security Act (42 U.S.C. 1395
6 et seq.), which shall include matters relating to the reim-
7 bursement of such services under the medicare program.

8 (b) RECOMMENDATIONS.—The Advisory Group shall
9 develop recommendations regarding the improvement of
10 all matters relating to the provision of ambulance services
11 under the medicare program under title XVIII of the So-
12 cial Security Act (42 U.S.C. 1395 et seq.).

13 (c) REPORT.—Not later than 2 years after the date
14 of enactment of this Act and annually thereafter, the Advi-
15 sory Group shall submit a report to the Administrator of
16 the Health Care Financing Administration which shall
17 contain a detailed statement of the results of the matters
18 studied by the Advisory Group pursuant to subsection (a),
19 together with the Advisory Group's recommendations for-
20 mulated pursuant to subsection (b).

21 **SEC. 203. POWERS OF THE ADVISORY GROUP.**

22 (a) HEARINGS.—The Advisory Group may hold such
23 hearings, sit and act at such times and places, take such
24 testimony, and receive such evidence as the Advisory
25 Group considers necessary to carry out the purposes of
26 this title.

1 (b) INFORMATION FROM FEDERAL AGENCIES.—The
 2 Advisory Group may secure directly from any Federal de-
 3 partment or agency such information as the Advisory
 4 Group considers necessary to carry out the provisions of
 5 this title. Upon request of the Chairperson of the Advisory
 6 Group, the head of such department or agency shall fur-
 7 nish such information to the Advisory Group.

8 (c) POSTAL SERVICES.—The Advisory Group may
 9 use the United States mails in the same manner and
 10 under the same conditions as other departments and agen-
 11 cies of the Federal Government.

12 (d) GIFTS.—The Advisory Group may accept, use,
 13 and dispose of gifts or donations of services or property.

14 **SEC. 204. ADVISORY GROUP PERSONNEL MATTERS.**

15 (a) COMPENSATION OF MEMBERS.—Members of the
 16 Advisory Group shall receive no additional pay, allow-
 17 ances, or benefits by reason of their service on the Advi-
 18 sory Group.

19 (b) TRAVEL EXPENSES.—The members of the Advi-
 20 sory Group shall be allowed travel expenses, including per
 21 diem in lieu of subsistence, at rates authorized for employ-
 22 ees of agencies under subchapter I of chapter 57 of title
 23 5, United States Code, while away from their homes or
 24 regular places of business in the performance of services
 25 for the Advisory Group.

1 (c) STAFF.—

2 (1) IN GENERAL.—The Chairperson of the Ad-
3 visory Group may, without regard to the civil service
4 laws and regulations, appoint and terminate an execu-
5 tive director and such other additional personnel as
6 may be necessary to enable the Advisory Group to
7 perform its duties. The employment of an executive
8 director shall be subject to confirmation by the Advi-
9 sory Group.

10 (2) COMPENSATION.—The Chairperson of the
11 Advisory Group may fix the compensation of the ex-
12 ecutive director and other personnel without regard
13 to the provisions of chapter 51 and subchapter III
14 of chapter 53 of title 5, United States Code, relating
15 to classification of positions and General Schedule
16 pay rates, except that the rate of pay for the execu-
17 tive director and other personnel may not exceed the
18 rate payable for level V of the Executive Schedule
19 under section 5316 of such title.

20 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
21 Federal Government employee may be detailed to the Ad-
22 visory Group without compensation in addition to that re-
23 ceived for service as an employee of the United States,
24 and such detail shall be without interruption or loss of
25 civil service status or privilege.

1 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
 2 TENT SERVICES.—The Chairperson of the Advisory Group
 3 may procure temporary and intermittent services under
 4 section 3109(b) of title 5, United States Code, at rates
 5 for individuals which do not exceed the daily equivalent
 6 of the annual rate of basic pay prescribed for level V of
 7 the Executive Schedule under section 5316 of such title.

8 **SEC. 205. FUNDING.**

9 The Secretary of Health and Human Services shall
 10 provide to the Advisory Group, out of funds otherwise
 11 available to such Secretary, such sums as are necessary
 12 to carry out the purposes of the Advisory Group under
 13 this title.

14 **SEC. 206. APPLICABILITY OF FEDERAL ADVISORY COMMIT-**
 15 **TEE ACT.**

16 Section 14 of the Federal Advisory Committee Act
 17 (5 U.S.C. App.) shall not apply to the Advisory Group.

18 **TITLE III—FEDERAL ADVISORY**
 19 **COUNCIL FOR EMERGENCY**
 20 **AMBULANCE SERVICES**

21 **SEC. 301. DEFINITION.**

22 As used in this title, the term “emergency ambulance
 23 services”—

1 (1) means resources used by a qualified public,
 2 private, or nonprofit entity to deliver medical care
 3 under emergency conditions—

4 (A) that occur as a result of the condition
 5 of a patient; or

6 (B) that occur as a result of a natural dis-
 7 aster or similar situation; and

8 (2) includes services delivered by an emergency
 9 ambulance employee that is licensed or certified by
 10 a State as an emergency medical technician, a para-
 11 medic, a registered nurse, a physician assistant, or
 12 a physician.

13 **SEC. 302. ESTABLISHMENT OF ADVISORY COUNCIL.**

14 (a) ESTABLISHMENT.—There is established an advi-
 15 sory council to be known as the Federal Advisory Council
 16 for Emergency Ambulance Services (in this title referred
 17 to as the “Advisory Council”).

18 (b) MEMBERSHIP.—

19 (1) COMPOSITION.—The Advisory Council shall
 20 be composed of 23 members, of whom—

21 (A) 1 shall be a member of the Inter-
 22 national Fire Chief’s Association, appointed by
 23 the President from nominations submitted by
 24 the Executive Director of the International Fire
 25 Chief’s Association;

1 (B) 1 shall be a member of the Inter-
2 national Association of Firefighters, appointed
3 by the President from nominations submitted
4 by the general president of the International
5 Association of Firefighters;

6 (C) 1 shall be a member of the American
7 Ambulance Association, appointed by the Presi-
8 dent from nominations submitted by the execu-
9 tive vice president of the American Ambulance
10 Association;

11 (D) 1 shall be a member of the National
12 Association of Emergency Medical Services
13 Physicians, appointed by the President from
14 nominations submitted by the executive director
15 of the National Association of Emergency Medi-
16 cal Services Physicians;

17 (E) 4 shall be appointed by the President,
18 of whom—

19 (i) 1 shall be a representative of a vol-
20 unteer ambulance service;

21 (ii) 1 shall be a representative of a
22 hospital-based ambulance service;

23 (iii) 1 shall be a representative of a
24 private ambulance service; and

1 (iv) 1 shall be a representative of an
2 air ambulance service;

3 (F) 1 shall be an individual who is ap-
4 pointed by the Majority Leader of the Senate;

5 (G) 1 shall be an individual who is ap-
6 pointed by the Minority Leader of the Senate;

7 (H) 1 shall be an individual who is ap-
8 pointed by the Speaker of the House of Rep-
9 resentatives;

10 (I) 1 shall be an individual who is ap-
11 pointed by the Minority Leader of the House of
12 Representatives;

13 (J) 2 shall be employees of the Occupa-
14 tional Safety and Health Administration, ap-
15 pointed by the Secretary of Labor;

16 (K) 1 shall be an employee of the United
17 States Coast Guard, appointed by the Secretary
18 of Transportation;

19 (L) 2 shall be employees of the National
20 Transportation Safety Board, appointed by the
21 chairman of the National Transportation Safety
22 Board;

23 (M) 2 shall be employees of the National
24 Highway Traffic Safety Administration of the

Department of Transportation, appointed by the Secretary of Transportation;

(N) 2 shall be employees of the Federal Emergency Management Agency, appointed by the Director of the Federal Emergency Management Agency; and

(O) 2 shall each be a member of a governing body of an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(2) ADDITIONAL REQUIREMENTS.—

(A) GEOGRAPHICAL REPRESENTATION AND URBAN AND RURAL REPRESENTATION.—In making appointments of members under paragraph (1), the appointing officials described in such paragraph shall, through consultation and collaboration with each other, select—

(i) members who are geographically representative of the United States; and

(ii) members who are representative of rural areas and urban areas.

(B) SPECIAL RULE.—The appointing officials described in subparagraph (A) shall ensure that, of the members appointed—

1 (i) 11 shall be representative of rural
2 areas;

3 (ii) 11 shall be representative of
4 urban areas; and

5 (iii) 1 shall be representative of a
6 rural area or an urban area, as provided
7 for in subparagraph (C).

8 (C) ALTERNATE REPRESENTATION.—The
9 appointing officials described in subparagraph
10 (A) shall appoint members under subparagraph
11 (B)(iii) by alternating between a member rep-
12 resenting a rural area and a member represent-
13 ing an urban area.

14 (3) DATE.—The appointments of the members
15 of the Advisory Council shall be made not later than
16 January 1, 1998.

17 (c) PERIOD OF APPOINTMENT; VACANCIES.—

18 (1) PERIOD OF APPOINTMENT.—Members shall
19 be appointed for a term of 4 years.

20 (2) VACANCY.—

21 (A) IN GENERAL.—Any vacancy in the Ad-
22 visory Council shall not affect the powers of the
23 Advisory Council, but shall be filled in the same
24 manner as the original appointment.

1 (B) FILLING UNEXPIRED TERMS.—An in-
 2 dividual chosen to fill a vacancy under this
 3 paragraph shall be appointed for the unexpired
 4 term of the member replaced.

5 (d) INITIAL MEETING.—Not later than 30 days after
 6 the date on which all members of the Advisory Council
 7 have been appointed, the Advisory Council shall hold its
 8 first meeting.

9 (e) MEETINGS.—The Advisory Council shall meet at
 10 the call of the Chairperson.

11 (f) QUORUM.—A majority of the members of the Ad-
 12 visory Council shall constitute a quorum, but a lesser
 13 number of members may hold hearings.

14 (g) CHAIRPERSON AND VICE CHAIRPERSON.—The
 15 Advisory Council shall select a Chairperson and Vice
 16 Chairperson from among the members of the Advisory
 17 Council.

18 **SEC. 303. DUTIES OF THE ADVISORY COUNCIL.**

19 (a) STUDY.—

20 (1) IN GENERAL.—The Advisory Council shall
 21 conduct a study of—

22 (A) the workplace conditions and safety re-
 23 quirements with regard to employees who pro-
 24 vide emergency ambulance services, including a
 25 review of the emergency ambulance services

1 regulations and standards promulgated by the
2 Secretary of Labor through the Occupational
3 Safety and Health Administration;

4 (B) the emergency management planning
5 functions of the Federal Emergency Manage-
6 ment Agency; and

7 (C) the transportation-related functions of
8 the Department of Transportation related to
9 the provision of emergency ambulance services,
10 including—

11 (i) the functions carried out under the
12 Intelligent Vehicle-Highway Systems Act of
13 1991 (part B of title VI of the Intermodal
14 Surface Transportation Efficiency Act of
15 1991, Public Law 102–240); and

16 (ii) any other issue related to the pro-
17 vision of emergency ambulance services
18 that the Secretary of Transportation rec-
19 ommends for study by the Advisory Coun-
20 cil.

21 (2) INTERPRETATION OF DATA.—As part of the
22 study conducted under this subsection, the Advisory
23 Council shall use and interpret the data collected by

1 the Office of Emergency Medical Services Data Col-
2 lection of the Department of Transportation estab-
3 lished under section 402.

4 (b) RECOMMENDATIONS.—The Advisory Council
5 shall develop recommendations with regard to—

6 (1) the improvement of workplace conditions of
7 employees who provide emergency ambulance serv-
8 ices;

9 (2) the appropriate application by the Occupa-
10 tional Safety and Health Administration of occupa-
11 tional safety and health standards and regulations to
12 employees who are employed to provide emergency
13 ambulance services; and

14 (3) addressing the issues, and improving the
15 functions, referred to in subparagraphs (B) and (C)
16 of subsection (a)(1).

17 (c) REPORT.—

18 (1) SUBMISSION OF REPORT TO AGENCY OFFI-
19 CIALS.—Not later than 2 years after the date of en-
20 actment of this Act and annually thereafter, the Ad-
21 visory Council shall prepare and submit to the Sec-
22 retary of Labor, the Secretary of Commerce, and the
23 Director of the Federal Emergency Management Ad-
24 ministration a report that includes—

1 (A) a detailed statement of the results of
2 the matters studied by the Advisory Council
3 under subsection (a); and

4 (B) the recommendations of the Advisory
5 Council developed under subsection (b).

6 (2) SUBMISSION OF REPORT TO CONGRESS.—

7 Not later than 2 years after the date of enactment
8 of this Act and annually thereafter, the Advisory
9 Council shall prepare and submit to the appropriate
10 committees of Congress the report described in para-
11 graph (2).

12 **SEC. 304. POWERS OF THE ADVISORY COUNCIL.**

13 (a) HEARINGS.—The Advisory Council may hold such
14 hearings, sit and act at such times and places, take such
15 testimony, and receive such evidence as the Advisory
16 Council considers necessary to carry out the purposes of
17 this title.

18 (b) INFORMATION FROM FEDERAL AGENCIES.—The
19 Advisory Council may secure directly from any Federal de-
20 partment or agency such information as the Advisory
21 Council considers necessary to carry out the provisions of
22 this title. Upon request of the Chairperson of the Advisory
23 Council, the head of such department or agency shall fur-
24 nish such information to the Advisory Council.

1 (c) POSTAL SERVICES.—The Advisory Council may
 2 use the United States mails in the same manner and
 3 under the same conditions as other departments and agen-
 4 cies of the Federal Government.

5 (d) GIFTS.—The Advisory Council may accept, use,
 6 and dispose of gifts or donations of services or property.

7 **SEC. 305. ADVISORY COUNCIL PERSONNEL MATTERS.**

8 (a) COMPENSATION OF MEMBERS.—Members of the
 9 Advisory Council shall receive no additional pay, allow-
 10 ances, or benefits by reason of the service of the members
 11 on the Advisory Council.

12 (b) TRAVEL EXPENSES.—The members of the Advi-
 13 sory Council shall be allowed travel expenses, including per
 14 diem in lieu of subsistence, at rates authorized for employ-
 15 ees of agencies under subchapter I of chapter 57 of title
 16 5, United States Code, while away from the homes or reg-
 17 ular places of business of the members in the performance
 18 of services for the Advisory Council.

19 (c) STAFF.—

20 (1) IN GENERAL.—The Chairperson of the Ad-
 21 visory Council may, without regard to the civil serv-
 22 ice laws and regulations, appoint and terminate an
 23 executive director and such other additional person-
 24 nel as may be necessary to enable the Advisory

1 Council to perform the duties of the Advisory Coun-
 2 cil. The employment of an executive director shall be
 3 subject to confirmation by the Advisory Council.

4 (2) COMPENSATION.—The Chairperson of the
 5 Advisory Council may fix the compensation of the
 6 executive director and other personnel without re-
 7 gard to the provisions of chapter 51 and subchapter
 8 III of chapter 53 of title 5, United States Code, re-
 9 lating to classification of positions and General
 10 Schedule pay rates, except that the rate of pay for
 11 the executive director and other personnel may not
 12 exceed the rate payable for level V of the Executive
 13 Schedule under section 5316 of such title.

14 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
 15 Federal Government employee may be detailed to the Ad-
 16 visory Council without compensation in addition to that
 17 received for service as an employee of the United States,
 18 and such detail shall be without interruption or loss of
 19 civil service status or privilege.

20 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
 21 TENT SERVICES.—The Chairperson of the Advisory Coun-
 22 cil may procure temporary and intermittent services under
 23 section 3109(b) of title 5, United States Code, at rates
 24 for individuals which do not exceed the daily equivalent

1 of the annual rate of basic pay prescribed for level V of
 2 the Executive Schedule under section 5316 of such title.

3 **SEC. 306. FUNDING.**

4 The Secretary of Labor, the Secretary of Commerce,
 5 and the Director of the Federal Emergency Management
 6 Agency shall provide to the Advisory Council, out of funds
 7 otherwise available to such agency heads, such sums as
 8 are necessary to carry out the purposes of the Advisory
 9 Council under this title.

10 **SEC. 307. APPLICABILITY OF FEDERAL ADVISORY COMMIT-**
 11 **TEE ACT.**

12 Section 14 of the Federal Advisory Committee Act
 13 (5 U.S.C. App.) shall not apply to the Advisory Council.

14 **TITLE IV—DATA COLLECTION**
 15 **AND ADMINISTRATION BY DE-**
 16 **PARTMENT OF TRANSPOR-**
 17 **TATION**

18 **SEC. 401. PROPOSAL FOR TRANSFER OF CERTAIN EMER-**
 19 **GENCY MEDICAL SERVICES FUNCTIONS.**

20 (a) PROPOSAL.—

21 (1) IN GENERAL.—Not later than 180 days
 22 after the date of enactment of this Act, the Sec-
 23 retary of Transportation, in consultation with the
 24 Secretary of Health and Human Services and the
 25 Chairman of the National Transportation Safety

1 Board, shall develop a proposal for transferring to
2 the National Highway Traffic Safety Administration
3 of the Department of Transportation any transpor-
4 tation-related functions of any other Federal agency
5 concerning emergency medical services, other than
6 the functions referred to in paragraph (2).

7 (2) EXCEPTIONS.—The proposal prepared
8 under paragraph (1) shall not provide for the trans-
9 fer of any function—

10 (A) of the Department of Defense; or

11 (B) related to a Federal health care pro-
12 gram (including the medicare program under
13 title 18 of the Social Security Act (42 U.S.C.
14 1395 et seq.) and the medicaid program under
15 title 19 of the Social Security Act (42 U.S.C.
16 1396 et seq.)).

17 (b) REPORT.—Upon completion of the proposal
18 under subsection (a), the Secretary of Transportation
19 shall submit to Congress a report that contains the pro-
20 posal, together with any legislative recommendations that
21 the Secretary determines to be appropriate for carrying
22 out the proposal.

1 **SEC. 402. ESTABLISHMENT OF THE OFFICE OF EMERGENCY**

2 **MEDICAL SERVICES DATA COLLECTION.**

3 (a) ESTABLISHMENT.—There is established in the
4 Department of Transportation an office to be known as
5 the “Office of Emergency Medical Services Data Collec-
6 tion” (referred to in this section as the “Office”). The Of-
7 fice shall serve as a clearinghouse for data collected in ac-
8 cordance with the regulations promulgated under sub-
9 section (c).

10 (b) DIRECTOR.—The Secretary of Transportation
11 shall appoint an individual to serve as the Director of the
12 Office (referred to in this section as the “Director”).

13 (c) REGULATIONS.—

14 (1) IN GENERAL.—The Secretary of Transpor-
15 tation, acting through the Director, and in consulta-
16 tion with the Secretary of Health and Human Serv-
17 ices, the Chairman of the National Transportation
18 Safety Board, and appropriate representatives of the
19 agencies of States that have primary responsibility
20 for regulating emergency medical services, shall pro-
21 mulgate regulations to establish a uniform data col-
22 lection requirement concerning the collection, on a
23 nationwide basis, of data relating to the provision of
24 emergency medical services.

25 (2) USE OF EXISTING INFORMATION SERV-
26 ICES.—In promulgating the regulations under this

1 subsection, the Secretary of Transportation shall, to
2 the maximum extent practicable, provide for the use
3 of information services that are in existence at the
4 time that the regulations are promulgated, including
5 State data collection services.

6 (d) STATE DEFINED.—As used in this section, the
7 term “State” means each of the several States of the
8 United States, the District of Columbia, and the terri-
9 tories and possessions of the United States.

○