

IMPROVING EMERGENCY MEDICAL SERVICES IN MINNESOTA

RESILIENT COMMUNITIES PROJECT

About the Partner

The Minnesota State Fire Chiefs Association (MSFCA) is an industry association that represents the leadership of the Minnesota Fire Service, which is comprised of more than 700 fire departments. The MSFCA works in partnership with three other industry associations: Minnesota Fire Department Association, Fire Marshals Association of Minnesota, and International Arson Investigators Association Minnesota Chapter.



Project Description

One of the top priorities of the approved legislative agenda of the four organizations is to work to establish local control over the provision of emergency medical services (EMS) in Minnesota. Most Minnesotans are not familiar with how EMS is provided in their community and there is an assumption that when we call 911 we will receive the highest level of service for a fair price. MSFCA believes there is room for improvement by implementing local control over EMS provision. Our goal is to use the information provided by this research project to pursue policy changes at the state legislature that positively impact the level of service Minnesotans receive.

Currently EMS is provided by a wide variety of services within Minnesota. These service types include hospital based, fire based, private for profit and private not for profit organizations. Once a service is granted a license with a specific territory they are allowed to operate that license into perpetuity. These licenses do not have any performance criteria and can be part of mergers and acquisitions without any local input or consideration to its potential effects.

This project has two distinct but related facets. First, MSFCA requests a policy analysis that compares Minnesota's EMS regulations to those in other states. This includes identifying other states that provide for local control over their EMS. It would be helpful to identify how different regulatory approaches to EMS in Minnesota and other states impact the services that residents receive. As part of the framework for the policy analysis, it would also be helpful to identify changes that have occurred since the current EMS regulations in Minnesota were established, such as population increases, demand for services, and the overall healthcare environment.

Second, MSFCA requests a legal analysis of the current EMS regulations through a federal anti-trust lens. There is a question about whether current state statute meets the Parker Doctrine, which exempts the state from liability for antitrust violations and allows private monopolies to be established. There are a few recent cases that could provide some context: *Town of Hallie v. City of Eau Claire* and *City of Lafayette v. Louisiana Power & Light Company*. There may also be other legal precedent that would be relevant to our organization's pursuit of local control of EMS.

Key Issues, Questions, and Ideas to Explore

Policy Analysis:

1. How do other states in the U.S. provide for oversight of emergency medical services?
2. How is EMS regulated in states where there is local control of the provider?
3. Do Minnesota's existing EMS regulations serve residents as intended when the regulations were first enacted in the late 1970s and early 1980s?
4. What relevant changes have occurred in Minnesota, in demand for emergency medical services, or in the overall healthcare environment since Minnesota's EMS regulations were first enacted?
5. What specific policy changes would improve provision of emergency medical services in Minnesota

Anti-Trust Analysis:

1. Does current Minnesota EMS regulation meet the Parker Doctrine?
2. Are there other examples of how EMS regulation does or does not comply with federal anti-trust regulation?
3. If current Minnesota regulations are not compliant with the Parker Doctrine and federal anti-trust regulations, what statutory changes would be necessary to become compliant?

How Student Work Will Be Used to Build Community Resilience

- To educate policy makers and Minnesota residents to support positive policy changes regarding EMS provision that positively impact the health and wellbeing of Minnesotans

Potential Community Partners or Stakeholders

- Minnesota Fire Chiefs Association & Minnesota Fire Department Association
- Minnesota EMS Regulatory Board
- Minnesota Ambulance Association
- Minnesota EMS service providers
- Other first responders (police and sheriffs)
- Local units of government & their representatives, (ex: League of Minnesota Cities and Minnesota Association of Townships)
- Minnesota House and Senate Research

Existing Plans & Reports

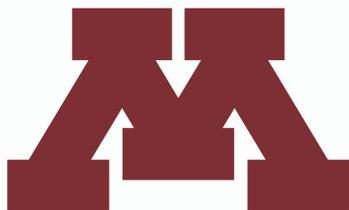
- Emergency Medical Services Review Board
- Ambulance Services, 2020 Minnesota Administrative Rules
- Administrative Law Judge Rulings
 - Children's Hospital (2018)
 - Chaska (2003)
 - West St. Paul (1992)
 - Twin Ports (1977)
- EMS History in Minnesota, including local and national reporting

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