

Minnesota Legislature

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Capitol Update

MINNESOTA AMBULANCE ASSOCIATION

Lots of Meetings – Part II

We continued visiting with legislators last week who serve on committees with which we will be dealing over the session and have managed to check off an impressive list of names. In addition, we have been monitoring a number of committees which are conducting budget and/or state agency overviews.

Session Personality

In previous years I have referred to various legislative sessions as if they had developed a personality of sorts. This year that is particularly true. Both houses are pursuing bills that cut

spending, reduce bureaucracy and get government out of people's lives. Another theme deals with lawsuits. A variety of bills are seeking to dissuade frivolous lawsuits, put tort caps in law and generally limit liability – in business and medical areas. One must always be cautious because what may appear to be a good, broad public policy may hit a speed bump when it comes to universal application. There is particular interest in limiting civil liability as it deals with businesses. One measure, HF 160 would eliminate one's ability to sue restaurants for making you fat. This is affectionately known as the "Cheeseburger Bill". From a personal perspective, I *know* that it is McDonald's fault that I have put on thirty pounds.

The vast majority of reform bills are being pushed by the Minnesotans for Lawsuit Reform, which is composed of numerous business interests. The primary organized opponent is the Minnesota Association of Justice, which represents the trial lawyers. We feel that these two organizations will be the butting heads throughout the session. The business groups tend to have the GOP-controlled legislature on their side and the trial lawyers will probably have Governor Dayton as an ally – at least with some bills. Should be interesting.....

A bill that relates to one of our initiatives below, is HF 32 which would lower government tort caps from the current \$500,000 per individual and a

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maximum of \$1.5 million per incident, to a maximum of \$1 million per incident.

Medical Lawsuit Reform

As mentioned in the last UPDATE, we have several liability bills of interest to EMS. They have been drafted, jacketed and we are in the process of securing authors. As you may recall, we have 2 initiatives at this point in time: Caps on awards involving care rendered by any physician in a licensed hospital ED; and, another which applies the government tort caps to *all* ambulance services and ambulance medical directors. We will send along the bill numbers once they are introduced.

Other Bills

As you will note by this UPDATE, we haven't managed to get our bill tracker up and running. Our previous tracker manager is no longer involved, so we will be setting up a new one in the next week or two. However, most bills are in the preliminary stages, so not much will be missed. Readers with specific questions may refer to the legislative web site to check on any items of interest in the meantime. A few bills worth noting include:

- ◆ HF 258 (Davids) our technical Revenue Recapture amendment.
- ◆ HF 235 (Holberg) requiring that all daycare staff have CPR training;
- ◆ HF 125 (Gunther) which reduces executive branch state agency funding (may affect the EMSRB); and,
- ◆ HF 199 (Gottwalt) which is called the "Freedom of Choice in Health Care Act". We have some concerns with the broad wording as it would appear to mandate that an individual may choose whichever healthcare provider they want. It may confuse the ambulance licensing laws. We will be speaking with the author to seek clarification.
- ◆ SF 119 (Rosen) is our Community Paramedic bill. The House version should be introduced on Monday with Rep. Tara Mack as the chief author .
- ◆ SF 62 (Jungbauer) would limit peace officer 'sting' operations for purposes of enforcing the primary seat belt law. Our concerns with this are obvious, as it would undermine the safety of the driving public and would impact seat belt enforcement.
- ◆ Although not a bill, per se, committee staff are beginning to identify tax exemptions throughout the statutes. You may recall from previous UPDATES that we warned that *everything* is on the table this session. House staff have started identifying tax exemptions which apply to *air ambulance services*. Although it is only limited to air operations at the present time, it will certainly progress to ground operations, too.
- ◆ Related to the tax exemption research, it is somewhat interesting to view the number of additional tax exemptions that are being introduced this session. One in particular caught my eye. It deals with a sales tax exemption on the purchase of puppies and kittens – hope we don't lose the exemptions for life-saving emergency ambulances to pay for it.....

The Week Ahead

Our blistering schedule of legislative meetings will continue through Friday. In addition, we will be meeting with the Community Health Worker association to discuss the Community Paramedic legislation.

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Another important meeting involves representatives of the MAA and Blue Cross/Blue Shield. We will be renewing our efforts to convince them that direct payment to ambulance providers is the best way to assure that ambulance providers are paid for their services and not diverted for wide-screen television sets.