

Minnesota Legislature

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OOPS!

If this UPDATE is not up to my regular standards (such as they are) I offer my sincerest apologies. As well all know, televangelist Pastor Harold Camping, the Oakland California “profit”, that is, “prophet” promised that the world was going to end last Saturday. Failing to hedge my bets, I decided not to begin writing my UPDATE in a timely manner.

As Saturday meshed into Sunday, it became clear that the pastor was, in a sense, correct. On Tuesday Governor Dayton vetoed all of the remaining appropriations bills. The only initiative signed into law with funding was the Omnibus Agriculture bill. So, although it wasn't the end of days, it was the

end of the session; and, it certainly was the end of the vast majority of our legislation – for now.

Overtime

Negotiations between Republican leadership and Governor Dayton on resolving the budget shortfall were held throughout the weekend, but yielded no results. Both sides are sticking to their underlying demands. The Republicans want to resolve the deficit with only cuts while the Governor is demanding a ‘balanced’ approach of cuts and increased taxes on the wealthiest 2% of Minnesotans. Both sides characterized the negotiations as “respectful”, “worthwhile” and even “beneficial”. In other words, no progress whatsoever was

made.

The legislature met through the weekend with both houses deliberating with periodic breaks. There was a 19-hour marathon House floor session. Legislators were frustrated and emotions ran high. Lack of sleep and debate on several volatile and emotionally charged initiatives really drained everyone involved in the legislative process. A vocal and passionate group of individuals rallied outside the House chambers for several days on the issue of a proposed constitutional amendment which essentially bans gay marriage. It added to the tension surrounding a tough couple of days. Perhaps adding to the frustration was the realization that the legislature's work would not be done by the

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deadline which was Monday at midnight.

Political speeches and press conferences will, no doubt, be the rule of the day for the upcoming weeks as each side attempts to make their case to the public. But, once the smoke clears, the clock starts ticking on a government shutdown. The money runs out at the end of the fiscal year which is June 30th. Beyond that date, only “essential” services will continue to be provided by the state. At this point in time, “essential services” have not been formally identified by the administration.

There will be a number of “work groups” convened in the coming days which will endeavor to come up with some options. The Health & Human Services funding legislation is, perhaps, the most worrisome. EMS is part of the healthcare appropriations bill and virtually all of our funding and most of the policy language is tucked away in that just vetoed legislation. We will be working closely with legislators and other advocacy groups to protect hospital ED care and other EMS providers.

Within a week or so, we may have some idea as to what compromise proposals will be forthcoming. However, in my opinion, I don't see there being

anything to compromise on. Both Governor Dayton and the Republican majorities in both houses have laid out their positions and I do not see any hope of either side budging. Unless some additional revenue is tossed into the negotiations, the stalemate could last quite a while.

The day after the session ended, I made some phone calls to determine the impact on EMS providers if there is no agreement by the end of the fiscal year. There are a number of issues that are, as of this writing, unresolved. In speaking with EMSRB acting chair, Kevin Miller, Board member Pat Lee; and EMSRB Executive Director Pam Biladeau, I expressed some concern over what would happen to the dedicated seat belt dollars should the state shut down. Do they simply sit in the special revenue account? I do not want to lose those dollars. Pam has been terrific. We have had several conversations about the seat belt dollars as well as continued funding for various programs. She has been in contact with the Office of Management and Budget in an effort to secure information as to what would happen. I want to compliment her because Pam started asking the important questions immediately after the legislature recessed.

The bottom line is that without a special session and some

appropriations, there will be no more checks from the state. As mentioned above, although we have no clear answers as of yet, I am assuming that funds to the Regional Systems and other grant programs will cease. If Governor Dayton calls them back for a special session to consider some type of ‘lights on’ legislation, we may have some hope. However, I don't see that happening. The shutdown could be a long, draw out process with an ending that is anybody's guess.

On the Positive Side...

There has been little that has changed since the last UPDATE and the one before that, and the one before that..... Ironically, until the governor vetoed the HHS and DPS bills, we were on a roll. All EMS-related funding was approved. That includes Regional EMS base funding, and we blocked any diversion of seat belt fine dollars, Cooper/Sams was intact as well as volunteer ambulance personnel training reimbursement, the EMSRB budget, MRCC funding; and, we even secured an increase in funding for the CALS Program. This would return the program to the funding level before the infamous drafting error from last session. However, as of now, we will be starting all over.

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When you have Lemons, Make Lemonade

The person who came up with this quote should be shot.

Despite the end of session and subsequent veto of all the bills that carry our funding, we do have a few successes. I can tell you that these victories did not come easy.

Our very simple bill to clarify and simplify the Revenue Recapture Act so that all licensed ambulance services could simply file with the state rather than going through a duplicative process involving the counties, then the state, followed a road that one could never anticipate. Without going into great detail, suffice it to say that we earned our money on getting this bill passed. It bounced around as an amendment to several bills, was held up as a possible vehicle for a potentially controversial bill. The language was also inserted in at least one other initiative. We spent a considerable amount of time and effort working for the passage of this very simple bill. Finally, late Saturday evening, HF 258, passed the Senate and was sent to the Governor. Governor Dayton signed the bill this morning (Chapter 71). Last, readers should know that there was opposition to this

measure. There was at least one advocacy group that was working against it.

Arguably, one of our biggest victories involves the Primary Seat Belt Law. As all of you readers know, an amendment was added to the Judiciary policy bill in the House (HF 1023) which would have repealed the Primary law. It passed the House with 75 votes. That should make all of us very nervous. This is particularly so because when the special session begins, legislators will be looking for dollars. It will be a fight to hold onto the dedicated funds. Working with the Seat Belt Coalition, we were able to block the repeal effort, but it was close. We need to be aware of the vulnerability of our seat belt fine dollars and we need to figure out how we are going to deal with the annual challenges in the future. Despite what you may be hearing, this repeal effort is not dead by a long shot.

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The other major success was the enactment of Chapter 12, our Community Paramedic Law. We have written so much about this in previous UPDATES that I will spare all of you another recitation. Although we have the law passed, we have a great deal of work ahead of us. We need to encourage the Commissioner of Human Services to gather the work group as soon

as possible so that we can begin work on the fee schedule and covered services under state programs. We also need to begin outreach meetings with the health plans on coverage.

Closing Notes

Buck, Duke and I believe that there will be a state shutdown. In speaking with a number of legislators, we have the impression that the legislative impasse could well last over the summer.

We will keep you up on developments as soon as we have an idea where we are headed. If anyone has any questions, please feel free to give us a call.

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Nebraska rural health guru, Julie Smith, RN, was in Minnesota for the Co-op board meeting. We had an opportunity to chat with her at length about our Community Paramedic law. She is a wealth of information on the various pilot projects that are ongoing throughout the country. We may be the first in the country to pass a CP law, but we have a long road ahead to structure the delivery model. To assure the success of our initiative, we are going to have to tap into some of these folks around the country who are working on the details. Julie agreed with me in that we will need a very tight data collection

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template that demonstrates savings to the healthcare system. Hopefully, she will give us a hand.