



Virginia Department of Planning and Budget **Economic Impact Analysis**

12 VAC 5-31 Virginia Emergency Medical Services Regulations
Department of Health
June 16, 2015

Summary of the Proposed Amendments to Regulation

The State Board of Health (Board) proposes to: 1) require that the eligible designated regional Emergency Medical Services (EMS) council nominate three candidates to fill a vacancy on the Financial Assistance and Review Committee (FARC), 2) no longer require that length of non-representation of geographic regions be explicitly considered for filling vacancies on FARC, 3) add to the regulation a requirement currently in the grant application and contract that a copy of the title for all EMS vehicles obtained through the grant be provided to the Virginia Office of EMS, and 4) make several language changes for clarity.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

FARC was created in 1978 by the EMS Advisory Council to carry out the responsibility of reviewing Rescue Squad Assistance Fund (RSAF) grant applications and recommend funding. In 1996, FARC was statutorily established by §32.1-111.12:01 in the Code of Virginia for the purposes of administering the Virginia RSAF grant funds. FARC reviews the RSAF grant applications from eligible licensed EMS agencies and other eligible not for profits involved in emergency medical service, and then make its recommendations for grant awards to the Commissioner of Health.

The current regulation specifies that the eligible designated regional Emergency Medical EMS council nominate one to three candidates to fill a vacancy on FARC. The EMS Advisory Board makes appointments to FARC from the nominations submitted by the designated regional EMS council. The Board proposes to require that the eligible designated regional Emergency

Medical EMS council nominate specifically three candidates rather than the current one to three. The current regulation specifies that in regard to FARC, “Consideration for filling vacancies shall include length of nonrepresentation on FARC in an effort to provide reasonable geographic distribution.” The Board proposes to eliminate this sentence from the regulation. Both of these proposed amendments are designed to give the EMS Advisory Board a broader pool of potential nominates from which to find those most qualified. Neither proposed amendment will necessarily change who is ultimately appointed in the majority of cases.

RSAF grant application and contract forms specify that a copy of the title for all EMS vehicles obtained through the grant be provided to the Virginia Office of EMS.¹ The Board proposes to include this requirement in the regulation. Including the language in the regulation will have no impact beyond informing potential applicants of the requirement and adding clarity. The Board proposes several other clarifying amendments that do not change requirements in practice. These amendments will likely produce a net benefit in that they may reduce potential confusion over requirements without adding any cost.

Businesses and Entities Affected

The proposed amendments affect approximately 600 EMS agencies, approximately 500 nonprofit entities that participate in EMS activities and approximately 100 local governments that provide EMS services.²

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments will not significantly affect employment.

Effects on the Use and Value of Private Property

The proposed amendments will not significantly affect the use and value of private property.

Real Estate Development Costs

The proposed amendments will not affect real estate development costs.

¹ Source: Virginia Department of Health,

² Data Source: Ibid

Small Businesses³:**Costs and Other Effects**

The proposed amendments will not significantly affect costs for small businesses.

Alternative Method that Minimizes Adverse Impact

The proposed amendments will not adversely affect small businesses.

Adverse Impacts:**Businesses:**

The proposed amendments will not adversely affect businesses.

Localities:

The proposed amendments will not adversely affect localities.

Other Entities:

The proposed amendments will not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 17 (2014). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.

³ Pursuant to Code § 2.2-4007.04, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

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