

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 643. EMERGENCY RESPONSE SYSTEMS STABILIZATION AND
IMPROVEMENT REVOLVING FUND DISTRIBUTION

RULEMAKING ACTION:

EMERGENCY adoption

RULES:

Subchapter 1. General Provisions [NEW]

310:643-1-1 [NEW]

310:643-1-2 [NEW]

Subchapter 3. Applying for Funds [NEW]

310:643-3-1 [NEW]

310:643-3-2 [NEW]

Subchapter 5. Evaluation and Distribution [NEW]

310:643-5-1 [NEW]

310:643-5-2 [NEW]

310:643-5-3 [NEW]

Subchapter 7. Identification of Priorities, Demonstration of Risk and Supporting Documentation Guidelines [NEW]

310:643-7-1 [NEW]

310:643-7-2 [NEW]

AUTHORITY:

Commissioner of the Oklahoma State Department of Health; 63 O.S. §§ 1-104 and 1-2512.1

ADOPTION:

January 12, 2023

EFFECTIVE:

Immediately upon Governor's approval

EXPIRATION:

Effective through September 14, 2024, unless superseded by another rule or disapproved by the Legislature

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATIONS BY REFERENCE:

n/a

FINDING OF EMERGENCY:

The Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund (OERSSIRF) allows for the awarding of funds to stabilize and improve emergency response systems in Oklahoma. The proposed rules will modernize the distribution process to provide a more equitable manner of selecting the OERSSIRF recipients and will allow funds to potentially reach more emergency service areas across the State of Oklahoma. The Department wishes to implement the modernized application process for funding distribution during the spring of 2023 to ensure broader access to and equitable distribution of the funds for the current fiscal year. This, in turn, will benefit more Oklahomans throughout the state. Without the adoption of this emergency rule, the previous outdated and inequitable process will continue to create disparities in emergency care services across the state. Without the implementation of Chapter 643, there would be a continued unfair point advantage for previous award winners and funding distribution could be concentrated among those who were previously awarded funds, creating further disparities in access to care. This could be detrimental to EMS service areas in need of OERSSIRF funds to improve and stabilize their services but who cannot currently compete with the cumulative scoring of past award recipients.

GIST/ANALYSIS:

The proposed new Chapter 643 eliminates the unfair point advantage for previous award winners in the existing OERSSIRF funding scoring process. The adoption of new Chapter 643 should positively affect each person living within an area serviced by entities who will be eligible to receive funding from the Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Funds under the new chapter. The implementation of Chapter 643 will produce increased efficiencies and effectiveness for entities who will receive OERSSIRF funds. An anticipated result in the implementation of this chapter will be better emergency response service outcomes and, as a result, citizens may experience an increase in longevity of life and overall healthier outcomes for those living in areas receiving OERSSIRF funding. Continuation of the existing funding process could be detrimental to certain EMS areas which need these funds to improve and stabilize their services, but cannot compete with the cumulative scoring of past award winners.

CONTACT PERSON:

Audrey C. Talley, Agency Rule Liaison, Oklahoma State Department of Health, 123 Robert S. Kerr Avenue, Oklahoma City, OK 73102, 405-426-8563. AudreyT@health.ok.gov.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING EMERGENCY RULES ARE CONSIDERED PROMULGATED AND EFFECTIVE UPON APPROVAL BY THE GOVERNOR AS SET FORTH IN 75 O.S. SECTION 253(F):

SUBCHAPTER 1. GENERAL PROVISIONS

310:643-1-1. Purpose

This Chapter provides information on how the Oklahoma State Department of Health annually distributes funding from the "Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund" as authorized in the Oklahoma Emergency Response Systems Development Act. (63 O.S. 1-2512.1)

310:643-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Applicant" means an individual or entity which has submitted an application for OERSSIRF funds.

"Assessment activity" means a review process that recognizes and builds on strengths, identifies gaps in policies and programming, and helps improve the effectiveness of EMS care.

"At-risk emergency medical services" means access and functional needs which may interfere with an EMS agency or agencies' ability to implement emergency medical care.

"Capital and equipment needs" means specialized resources, not including personnel, used to provide emergency medical care or to treat medical emergencies necessary to implement an applicant's proposal.

"Department" means the Oklahoma State Department of Health.

"Emergency medical director" means a physician, fully licensed without restriction, who acts as a paid or volunteer medical advisor to a licensed ambulance service and who monitors and directs the care so provided.

"Front line emergency medical services personnel" means emergency medical responders certified by the Department or emergency medical technicians (EMT), intermediates, advanced emergency medical technicians (AEMT), or paramedics licensed by the Department by the Department to perform emergency medical services in accordance with the Oklahoma Emergency Response Systems Development Act.

"Regional emergency medical services" means targeted and/or coordinated efforts to provide collaborative emergency medical care and treatment for areas across the state.

"Reorganization" means any process related to restructuring or amending operations to implement an applicant's proposal.

"Stabilization" means an effort to eliminate fluctuations and improve the balance of operations.

SUBCHAPTER 3. APPLYING FOR FUNDS

310:643-3-1. Notification of funding opportunity

Once the Department has received the Oklahoma Emergency Response Systems Stabilization and Improvement Revolving Fund, the following will be posted to the Department's website:

- (1) A link to the electronic application;
- (2) Directions for the application process;
- (3) A copy of the scoring rubric used to evaluate applications; and
- (4) The amount of funding received for distribution.

310:643-3-2. Application requirements

Any interested applicant is responsible for submitting the required application by the deadline. Applications must be complete and submitted through the link provided to be eligible for consideration. To be considered, applicants must address one or more of the following statutory purposes in the submitted application:

- (1) Activities identified by agency needs assessment;
- (2) Stabilization and/or reorganization of at-risk emergency medical services;
- (3) Development of regional emergency medical services;
- (4) Training for emergency medical directors;
- (5) Access to training front line emergency medical services personnel;
- (6) Capital and equipment needs.

SUBCHAPTER 5. EVALUATION AND DISTRIBUTION

310:643-5-1. Evaluation of submissions

The Department will redact all identifiable information from each submission and provide all redacted applications to the evaluation panel for review. Evaluators will:

- (1) Sign an attestation affirming no financial or other direct personal interest in any of the applications;
- (2) Review all redacted applications independently of other evaluators; and
- (3) Complete the electronic scoring sheet based upon the scoring rubric.

310:643-5-2. Partial funding and matching

The agency may distribute partial funding to applicants. Matching of funds may be required.

310:643-5-3. Distribution of funds

Upon completion of the evaluation process, recipients will be notified of award. Funding will be distributed in accordance with state law. Recipients will be required to follow all legal and contractual requirements to be eligible for funding. Applications that do not meet any of the statutory requirements will not be eligible to receive an award.

SUBCHAPTER 7. IDENTIFICATION OF PRIORITIES, DEMONSTRATION OF RISK AND SUPPORTING DOCUMENTATION GUIDELINES

310:643-7-1. Determination of priorities

On an annual basis, the department will gather information from stakeholders to determine statewide stabilization and improvement priorities. Information gathering strategies may include:

- (1) Electronic surveys;
- (2) In person visits;
- (3) Phone conferences; or
- (4) Other reasonable method to help determine priorities.

310:643-7-2. Demonstration of risk and supporting documentation

(a) Risk will be demonstrated by the applicants in one or more of the following areas:

- (1) Activities identified by agency needs assessment;
- (2) Stabilization and/or reorganization of at-risk emergency medical services;
- (3) Development of regional emergency medical services;
- (4) Training for emergency medical directors;
- (5) Access to training front line emergency medical services personnel; and
- (6) Capital and equipment needs.

(b) Supporting documentation will demonstrate one or more of the following:

- (1) Financial need;
- (2) Infrastructure to support proposal;
- (3) Needs assessment;
- (4) Measurable objectives to quantify progress related to proposal implementation;
- (5) Other items as required by the Department to support the self-selected, measurable objectives of applicant proposals.