

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1174

AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 10-19-3-3, AS AMENDED BY P.L.27-2010, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The executive director shall do the following:

- (1) Serve as the chief executive and administrative officer of the department.
- (2) Serve as the director of the council.
- (3) Administer the application for, and disbursement of, federal and state homeland security money for all Indiana state and local governments.
- (4) Develop a single strategic plan for preparing and responding to homeland security emergencies in consultation with the council.
- (5) Serve as the state coordinating officer under federal law for all matters relating to emergency and disaster mitigation, preparedness, response, and recovery.
- (6) Use and allocate the services, facilities, equipment, personnel, and resources of any state agency, on the governor's behalf, as is reasonably necessary in the preparation for, response to, or recovery from an emergency or disaster situation that threatens or has occurred in Indiana.

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(7) Develop a plan to protect key state assets and public infrastructure from a disaster or terrorist attack.

(8) Partner with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs.

SECTION 2. IC 10-19-7-3, AS AMENDED BY P.L.218-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The state fire marshal appointed under IC 22-14-2-2 shall do the following:

- (1) Serve as a deputy executive director to manage the division.
- (2) Administer the division.
- (3) Provide staff to support the fire prevention and building safety commission established by IC 22-12-2-1.

(4) Partner with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs.

(b) The state fire marshal may not exercise any powers or perform any duties specifically assigned to either of the following:

- (1) The fire prevention and building safety commission.
- (2) The state building commissioner.

(c) The state fire marshal may delegate the state fire marshal's authority to the appropriate division staff.

SECTION 3. IC 10-19-7-5, AS ADDED BY P.L.188-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) For purposes of this section, "EMS" means emergency medical services.

(b) For purposes of this section, "state EMS medical director" refers to the state emergency medical services medical director appointed under subsection (c).

(c) The executive director shall appoint an individual to serve as the state emergency medical services medical director. The individual must have the following qualifications:

- (1) Thorough knowledge of state EMS laws and administrative rules and regulations.
- (2) At least five (5) years experience in the following:
 - (A) Medical direction of out of hospital EMS.
 - (B) Emergency department treatment of acutely ill and injured patients.
- (3) Significant experience and familiarity with the following:
 - (A) The design and operation of statewide EMS systems.
 - (B) Working with national and other state EMS committees.
- (4) At the time of the individual's appointment, has a valid and

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unrestricted license to practice medicine in Indiana.

(5) Be certified by the American Board of Emergency Medicine.

(6) Other areas of knowledge and expertise that the executive director determines essential.

The state EMS medical director shall be an employee of the department.

(d) The executive director shall submit the name of the individual whom the executive director would like to appoint as state EMS medical director to the Indiana emergency medical services commission created by IC 16-31-2-1. The commission may, by a majority of the members, vote not later than thirty (30) days after the submission on whether to approve the appointment. If the commission:

(1) does not take any action; or

(2) by a majority of the commission votes to approve the appointment of the individual;

not later than thirty (30) days after, the appointment shall become effective. If a majority of the commission votes not later than thirty (30) days after the submission of the appointment to not approve the appointment, the executive director shall restart the appointment process and submit an alternative individual for appointment.

(e) The state EMS medical director shall oversee all pre-hospital aspects of the statewide EMS system, including the following:

(1) Medical components for systems of care that interface or integrate with the statewide EMS system, including the following:

(A) Statewide planning for trauma, burn, cardiac, and stroke care.

(B) Domestic preparedness.

(C) EMS for children.

(2) For all levels of emergency responders, establishment of the following:

(A) Statewide model guidelines and best practices for all patient care activities to ensure delivery of medical care consistent with professionally recognized standards.

(B) A statewide EMS continuous quality improvement program.

(C) A statewide EMS advocacy program.

(3) In cooperation with appropriate state and local agencies, training and certification of all EMS providers.

(f) The state EMS medical director shall assist the executive director on all issues related to statewide EMS, including the following:

(1) Consulting with EMS medical directors.

(2) In consultation with the Indiana emergency medical services

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commission created by IC 16-31-2-1, providing guidance and assistance on the following matters:

- (A) Scope of practice for EMS providers.
 - (B) Restrictions placed on EMS certifications.
 - (C) Appropriate corrective and disciplinary actions for EMS personnel.
 - (D) Education and training on emerging issues in EMS.
- (3) EMS system research.
 - (4) Coordination of all medical activities for disaster planning and response.
 - (5) Improving quality of care, research, and injury prevention programs.
 - (6) Partnering with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs.**

SECTION 4. IC 22-14-7-27, AS ADDED BY P.L.82-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The fire prevention and public safety fund is established. The fund shall be administered by the state fire marshal. Money in the fund may be used to support:

- (1) fire safety and prevention programs; and**
 - (2) public safety education and outreach programs, including, but not limited to, youth helmet safety.**
- (b) The expenses of administering the fund shall be paid from money in the fund.
 - (c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.
 - (d) The fund consists of:
 - (1) penalties recovered under section 24 of this chapter; and
 - (2) grants, gifts, and donations intended for deposit in the fund.
 - (e) The money in the fund at the end of the state fiscal year does not revert to the state general fund.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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