



SPONSOR: Sen. S. McBride & Rep. Bentz  
Sens. Lopez, Sokola

DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE BILL NO. 139

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE EMERGENCY MEDICAL SERVICES OVERSIGHT COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 97, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 9703. Delaware Emergency Medical Services Oversight Council.

(a) There is established the Delaware Emergency Medical Services Oversight Council (DEMSOC). The Council shall consist of the following members:

(1) A representative of the Office of the Governor appointed by the ~~Governor~~; Governor.

(2) The Secretary of the Department of Safety and Homeland ~~Security~~; Security.

~~(3) The Director of the Delaware Emergency Management Agency.~~

~~(3) (4) The Secretary of the Department of Health and Social Services, or at the discretion of the Secretary, the Director of Public Health;~~ Services.

~~(4) (5) The Chair of the Delaware State Fire Prevention Commission or another Commissioner selected by the Chair;~~ Commission.

~~(5) (6) The President of the Delaware Volunteer Firefighter's Association;~~ Association.

~~(6) (7) The Chief of the New Castle County Emergency Medical Services or, at the Chief's discretion, a representative from the New Castle County Emergency Medical Services;~~ Services.

~~(7) (8) The Kent County Administrator or, at the Administrator's discretion, the Kent County EMS Chief;~~ Administrator.

~~(8) (9) The Sussex County Administrator, or at the Administrator's discretion, the Sussex County EMS Director;~~ Administrator.

~~(9) (10) The President of the Delaware Chapter of the American College of Emergency Physicians;~~ Physicians.

~~(10) (11) The State EMS Medical Director;~~ Director.

(11) (12) The Chair of the Trauma Systems ~~Committee~~; Committee.

(12) (13) A practicing paramedic, certified and employed in the State, appointed by the ~~Governor~~; Governor.

(13) (14) The Chair of the DVFA Ambulance Advisory ~~Committee~~; Committee.

(14) (15) Three ~~additional~~ at-large members, 1 from each county, appointed by the ~~Governor~~; Governor.

(15) (16) The President of the Delaware Healthcare Association ~~or, at the President's discretion, a representative of the Delaware Healthcare Association~~.

(16) (17) The Executive Director of the Medical Society of ~~Delaware or, at the Executive Director's discretion, a representative of the Medical Society of Delaware~~; Delaware.

(17) (18) The Chair of the Delaware Police Chiefs' ~~Council or, at the Chair's discretion, a representative of the Delaware Police Chief's Council~~; Council.

(18) (19) The Paramedic Commander of the Delaware State Police Aviation ~~Unit~~; Unit.

(19) (20) The Chair of the Emergency Medical Services for Children (EMSC) Advisory ~~Committee, or at the discretion of the EMSC Advisory Committee Chair, the EMSC Program Manager, and~~ Committee.

(b) ~~The members of the Council may designate a voting alternate representative. Members serving by virtue of position may appoint designees to serve in their stead.~~

(c) The Council shall meet at a minimum of 1 time per year.

(d) An appointed member serves for a term of up to 3 years and is eligible for reappointment. The Governor shall appoint members for staggered terms so that no more than 3 members' terms expire in any 1 calendar year.

(e) A majority of the membership of the Council shall constitute a quorum. A vacant position is not counted for quorum purposes.

(f) If an appointed member fails to attend 3 successive meetings of the Council without just cause, that member's position may be deemed vacant and the Governor may appoint a replacement.

(d) (g) The Chairperson of the Council shall be designated from among the members by the Governor and shall serve at the pleasure of the Governor. The Chairperson shall select a Vice Chairperson from the membership of the Council to serve in the Chairperson's absence.

(h) The Council may adopt bylaws for adopting operating procedures including the election of officers, the conducting of meetings, and other matters to promote the efficient operation of the Council in this performance of its duties under this section.

### SYNOPSIS

This bill changes the requirements for members to be appointed to the Delaware Emergency Medical Services Oversight Council. The bill also clarifies that a member may serve for a term of up to three years and is eligible for reappointment and the number of members needed to constitute a quorum. In addition, the bill allows for removal of a member by the Governor under certain circumstances and clarifies that the Council may adopt bylaws for adopting operating procedures. The bill also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator S. McBride