



January 27, 2000

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## HOUSE BILL No. 1232

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DIGEST OF HB 1232 (Updated January 25, 2000 11:12 AM - DI 94)

**Citations Affected:** IC 36-8.

**Synopsis:** Insurance benefits for EMT personnel. Requires a county, municipality, or township that uses a volunteer fire department or an ambulance service company to purchase a policy of insurance to cover each volunteer emergency medical technician (EMT) who is a member of the department or company.

**Effective:** January 1, 2001.

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**Young D, Stevenson**

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January 10, 2000, read first time and referred to Committee on Local Government.  
January 26, 2000, amended, reported — Do Pass.

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HB 1232—LS 7268/DI 87+



January 27, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

## HOUSE BILL No. 1232

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-8-14.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2001]:

4 **Chapter 14.5. Volunteer Emergency Medical Technicians**

5 **Sec. 1. This chapter applies to all units.**

6 **Sec. 2. As used in this chapter, "member" means a volunteer  
7 emergency medical technician.**

8 **Sec. 3. As used in this chapter, "nominal compensation" means  
9 annual compensation of not more than three thousand five  
10 hundred dollars (\$3,500).**

11 **Sec. 4. As used in this chapter, "provider" means a volunteer  
12 fire department or ambulance company that has as a member an  
13 emergency medical technician working in a volunteer capacity. In  
14 the case of a volunteer fire department, the member performs only  
15 the services of an emergency medical technician and does not fight  
16 fires.**

17 **Sec. 5. As used in this chapter, "volunteer emergency medical**

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1 technician" means a person:

2 (1) who, as a result of a written application, has been elected  
3 or appointed to membership with a provider;

4 (2) who performs, without compensation or with nominal  
5 compensation, the work related duties assigned and orders  
6 given to the provider by the chief or an officer of the provider,  
7 including orders or duties involving education and training as  
8 prescribed by the provider or the state; and

9 (3) whose name has been entered on a roster of volunteer  
10 emergency medical technicians that is kept by the provider  
11 and that has been approved by the proper officers of the unit.

12 Sec. 6. (a) Each unit that has a provider shall procure insurance  
13 in the name of and for the benefit of each member of the provider  
14 who is an emergency medical technician. However, if a contract or  
15 agreement exists between a unit and a provider, the contract or  
16 agreement must provide for insurance of the provider's members  
17 in the amounts and with the coverages required by this chapter.

18 (b) Unless the contract or agreement stipulates otherwise, all  
19 insurance coverage must be under a group plan, rather than in the  
20 name of each individual member. Either the unit or the provider,  
21 according to the contractor agreement, may undertake  
22 procurement of required insurance. In either case, however, the  
23 costs of coverage must be borne by the unit. If a provider serves  
24 more than one (1) unit under a contract or agreement, each unit  
25 that the provider serves shall pay the amount for the insurance  
26 coverage determined under the following formula:

27 STEP ONE: For each census block or other area in a unit that  
28 is served by more than one (1) provider, divide the population  
29 of the area by the number of providers serving the area and  
30 round the quotient to the nearest one thousandth (.001).

31 STEP TWO: Add the quotients determined under STEP ONE  
32 for the unit.

33 STEP THREE: Determine the sum of the STEP TWO  
34 amounts for all of the units served by the same provider.

35 STEP FOUR: Divide the STEP TWO amount for a unit by the  
36 STEP THREE amount and round the quotient to the nearest  
37 one thousandth (.001).

38 STEP FIVE: Multiply the costs of the insurance coverage for  
39 the provider by the quotient determined under STEP FOUR,  
40 rounded to the nearest dollar.

41 (c) A diminution of insurance benefits may not occur under this  
42 section because of a change in the insurance carrier or a change as

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1 to who actually procures the required insurance.

2 (d) Each unit that has a provider may procure an insurance  
3 policy for the benefit of auxiliary groups whose members could be  
4 injured while assisting the members in the performance of their  
5 duties.

6 Sec. 7. (a) Each unit that has a provider may procure an  
7 insurance policy or any other type of instrument that provides  
8 retirement benefits as an incentive to members for continued  
9 service.

10 (b) An insurance policy or other instrument containing any of  
11 the provisions authorized by subsection (a) may not be considered  
12 in the computation of nominal compensation for purposes of this  
13 chapter.

14 (c) A member who becomes covered by an insurance policy or  
15 other instrument containing any of the provisions authorized by  
16 subsection (a) does not thereby become eligible for membership in  
17 the public employees' retirement fund under IC 5-10.3.

18 Sec. 8. If a unit fails to provide the insurance for a member that  
19 this chapter requires and a member suffers a loss of the type that  
20 the insurance would have covered, the unit shall pay to that  
21 member the same amount of money that the insurance would have  
22 paid to the member.

23 Sec. 9. Each policy of insurance must provide for payment to a  
24 member working for a provider for accidental injury caused by or  
25 occurring in the course of the performance of the duties of a  
26 member as follows:

27 (1) For total disability that prevents the member from  
28 pursuing the member's usual vocation, the policy shall  
29 provide a weekly indemnity of at least two hundred fifty  
30 dollars (\$250), up to a maximum of two hundred sixty (260)  
31 weeks.

32 (2) For medical expenses, coverage for incurred expenses.  
33 However, the policy may not have medical expense limits of  
34 less than seventy-five thousand dollars (\$75,000).

35 Sec. 10. (a) The policy of insurance required by section 6 of this  
36 chapter must provide for the payment of at least one hundred fifty  
37 thousand dollars (\$150,000) to the beneficiary, beneficiaries, or  
38 estate of a member if the member dies from an injury while in the  
39 performance of the member's duties as a volunteer emergency  
40 medical technician or from a cardiac disease event proximately  
41 caused within forty-eight (48) hours by or occurring while in the  
42 performance of the member's duties as a volunteer emergency



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medical services technician.

(b) The policy of insurance must provide for the payment of at least one hundred fifty thousand dollars (\$150,000) to the member if the member becomes totally and permanently disabled for a continuous period of at least two hundred sixty (260) weeks as a result of an injury occurring in the performance of the member's duties as a volunteer emergency services medical technician.

(c) The policy of insurance must also provide for indemnification to a provider of a member who becomes partially and permanently disabled or impaired as a result of an injury occurring in the performance of the member's duties.

(d) For purposes of this section, partial and permanent disability or impairment shall be indemnified as a percentage factor of a whole person.

Sec. 11. All expenses incurred for premiums of the insurance required by this chapter shall be paid out of the general fund of the unit in the same manner as other expenses in the unit are paid.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1232, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2001]".

and when so amended that said bill do pass.

(Reference is to HB 1232 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 10, nays 0.

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