



February 17, 2023

Senate Committee on Labor and Business  
The Honorable State Senator Kathleen Taylor, Chair  
The Honorable State Senator Daniel Bonham, Vice Chair  
254 State Capitol  
Salem OR 97310

**Testimony by Ray Mollers, Executive Director, Interstate Commission for EMS Personnel Practice in support of SB 857: Recognition of Emergency Medical Services Personnel Licensure Interstate Compact**

Madam Chair and Members of the Committee:

I am submitting this written testimony on behalf of the Interstate Commission for EMS Personnel Practice (ICEMSPP), the governance body responsible for managing and operating 'REPLICA', also known as the 'EMS Compact'. The Commission wants to ensure your committee has the most accurate information available as you consider this important legislation.

**Brief History and Purpose of the EMS Compact**

- The initial work on the EMS Compact began in 2012<sup>1</sup> with the goal of developing a model interstate compact to solve the problems associated with mobility of **EMS personnel**.
- The REPLICA model legislation was drafted by a National Advisory Panel with representation from 23 nationally **respected stakeholder organizations**<sup>2</sup>.
- In 2015, Colorado was the first state to pass the REPLICA legislation.
- In 2017, with 10 states enacting the REPLICA legislation, the Interstate Commission for EMS Personnel Practice (ICEMSPP) – the multi-state governance body established by the legislation<sup>3</sup> – was formed.
- On March 10, 2020, the Interstate Commission for EMS Personnel Practice officially **operationalized and activated the Compact**, including the multi-state Privilege to Practice.

<sup>1</sup> A complete history of the EMS Compact is available online: <https://emscompact.gov/the-compact/compact-history>

<sup>2</sup> American Ambulance Association, American College of Emergency Physicians, Association of Air Medical Services, Association of Critical Care Transport, Bureau of Land Management, EMS Labor Alliance, Federal Bureau of Investigation, Federation of State Medical Boards, International Association of EMS Chiefs, International Association of Fire Chiefs, International Association of Fire Fighters, International Association of Flight & Critical Care Paramedics, International Paramedic, National Association of EMS Educators, National Association of EMS Physicians, National Association of EMTs, National EMS Management Association, National Governors Association, National Registry of EMTs, National Volunteer Fire Council, USDA Forest Service

<sup>3</sup> REPLICA model legislation Section 10 B.1

## Member State Licensure Standardization

- To ensure **standardization** of EMS personnel, REPLICA requires all member states implement standardized minimum requirements for EMS licensure<sup>4</sup>. Specifically, all Compact member states must utilize the National Registry of EMTs examination for initial EMT and Paramedic licensure, and states must perform FBI background checks for all individuals seeking a new state-issued EMS license.
- Many Compact states - including Colorado, Virginia, Texas, Kansas, and many others – like Oregon have been in compliance with these requirements for many years. For example, **Colorado implemented FBI fingerprint background checks and the National Registry requirement nearly a decade ago** and has been in 100% compliance with this requirement as the first REPLICA member state. A cursory review of **Oregon’s current EMS licensure process appears to meet the requirements** contained in the REPLICA legislation.
- A few Compact states are still in the process of updating their state EMS licensure process to be in compliance with these requirements. In accordance with the legislation, and ICEMSPP policy 2022-A<sup>5</sup>, all states must be in compliance with the FBI background check prerequisite by March 15, 2025.

## Compact Governance

- Oregon has joined nearly 40 compacts, and in 2016, **Oregon was the first state in the nation to enact the Physical Therapy Compact** (PT Compact) legislation<sup>6</sup>. The Physical Therapy Compact is governed by the Physical Therapy Compact Commission and Oregon appoints one (1) commissioner to the PT Compact Commission.
- The Physical Therapy Compact legislation model language was actually adapted from the EMS Compact (REPLICA) model language. Therefore, **the EMS Compact follows a nearly identical governance structure**: each member state appoints one commissioner (generally this is the State EMS Director or similar executive branch position) to the Interstate Commission for EMS Personnel Practice.
- In accordance with the legislation and a **commitment to transparency and stakeholder involvement**, ICEMSPP meetings (including subcommittees) are open to the public and include public comment periods. All written public comments on proposed rules are a public record. Furthermore, all meetings are properly public noticed on the EMSCompact.gov website and via an email distribution list. In addition to the standard public notice and open meetings, REPLICA provides all stakeholders an additional opportunity to call a special public hearing for any proposed rule.

## Compact Funding & State Expenses

- Since the inception, REPLICA and the ICEMSPP has been **funded by a very stable, multi-year grant** provided by the National Registry of EMTs.
- Although REPLICA, and almost all Compacts, include a standard provision to collect required and reasonable fees to operate the Compact, **REPLICA has never imposed a fee** and there are **no plans to impose a fee**. In order to enact a fee in the future, the Compact would have to have agreement of the membership of which each member state would have notice of the proposed fee and the ability to voice the state’s position via their Compact commissioner vote.

<sup>4</sup> Home state licensure requirements are in Section 3 of the REPLICA legislation.

<sup>5</sup> <https://emscompact.gov/the-commission/compact-governance/compact-policies>

<sup>6</sup> Senate Bill 1504 of 2016, enacted as ORS 688.240

The ICEMSPP, **as a governmental body**<sup>7</sup>, operates with complete **transparency**. All financial transactions are reported at the monthly Executive Committee meetings, and an annual budget is adopted by the full commission at the annual Commission meeting. Financial documents are available for review by Commissioners, stakeholders, and the public.

- The actual implementation costs, for REPLICA, are nominal. There is **no** state fee, there is **no** fee to access the National EMS Coordinated Database (NEMSCD), there are **no fees** imposed to individual EMS personnel for the Privilege to Practice.
- The **indirect costs** incurred by member states, that the Commission is aware of, include:
  - State specific technology enhancements to securely connect the state’s EMS Licensure database to the National EMS Coordinated Database. (This expense is internal to the state and varies depending on upgrades or enhancements required for the secure connection but is generally reported to range from \$0 to \$5,000.)
  - Occasional (annual) travel to the annual full-commission meeting. Most meetings are conducted virtually, but the annual meeting is generally co-located with the annual National Association of State EMS Officials meeting (which is typically attended by all State EMS Directors annually).
  - Nominal staff time related to stakeholder questions or the Privilege to Practice
- When asked about fees and the value of REPLICA, Colorado’s Commissioner, Donnie Woodyard, who is also the current ICEMSPP Chairperson, replied, “As the first REPLICA member state, Colorado is extremely grateful for the EMS Compact. Our **operational costs associated with REPLICA are essentially zero** and the benefits to our state are numerous. During the COVID-19 pandemic and unprecedented wildland fires, the EMS Compact significantly reduced administrative delays and burdens, and enhanced the ability for our local EMS agencies to access qualified EMS personnel while concurrently expanding the state EMS office’s ability to ensure public protection via multi-state licensure transparency and accountability provisions. While the pandemic’s impacts are easing, the benefits of REPLICA continue for our local EMS agencies. Our EMS agencies are able to maintain their ability to choose what EMS personnel work for them, local EMS Medical Directors retain the ability to credential (or deny credentialing) to EMS personnel, and local employers retain the ability to establish or uphold their unique employment requirements.”

In closing, we are grateful for Oregon’s high quality and respected Emergency Medical Services system. However, today’s workforce – including our shared national EMS workforce – is highly mobile. The EMS Compact provides Oregon a new way to engage with the national EMS workforce and expanding the ability to share critical licensure data with other states while preserving 100% of the local authority and autonomy currently granted to the ambulance services, EMS agencies, and fire departments providing Emergency Medical Services in Oregon. We appreciate the opportunity to support the passage of SB 857 and Oregon’s enactment of the Recognition of EMS Personnel Licensure Interstate Compact. We are especially grateful for Senator Findley for introducing this important piece of legislation.

<sup>7</sup> REPLICA Section 10

The EMS Compact leadership team is ready and available to answer any questions, or address any stakeholder concerns presented to your committee. Please do not hesitate to reach out to myself via phone (m: 717-919-7511) or email ([rmollers@emscompact.gov](mailto:rmollers@emscompact.gov)), or to Commissioner Woodyard, the ICEMSPP Chair via email ([donnie.woodyard@emscompact.gov](mailto:donnie.woodyard@emscompact.gov)).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ray A. Mollers". The signature is fluid and cursive, with a large initial "R" and "M".

Ray Mollers

Executive Director

Interstate Commission for EMS Personnel Practice