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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Public Health Service Act to direct the Secretary of Health and Human Services to make grants to eligible entities for activities related to emergency medical services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. KEAN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Public Health Service Act to direct the Secretary of Health and Human Services to make grants to eligible entities for activities related to emergency medical services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''EMS Supporting Personnel, Operations, Upgrades, Resources, and Training Act of 2026'' or the ''EMS SUPPORT Act of 2026''.

SEC. 2. STAFFING FOR ADEQUATE EMERGENCY MEDICAL SERVICES.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

"SEC. 399V–8. STAFFING FOR ADEQUATE EMERGENCY MEDICAL SERVICES.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, (in this section referred to as the 'Administrator') and in consultation with the chief executives of the States, shall make grants to eligible entities to carry out any of the following activities:

''(1) Maintaining or increasing the number of emergency medical services personnel in a career fire department, combination fire departments, volunteer fire department, or nonaffiliated EMS organization to conform with industry minimum standards and attain 24-hour staffing for adequate emergency medical services.

''(2) Providing mental heath services to such personnel.

''(3) Covering or reimbursing any cost related to any required certification for such personnel.

''(4) Acquiring equipment and supplies used in connection with emergency medical services, including the following:

''(A) Personal protective equipment.

''(B) Medication.

''(C) Uniforms for such personnel.

''(5) Upgrading or improving, with respect to such department or organization, any of the following:

''(A) Communications equipment.

''(B) Facilities.

''(C) Mapping equipment.

''(D) Vehicles.

''(6) Any such other activity the Administrator determines appropriate.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—An eligible entity that seeks a grant under this section shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(2) CONTENTS.—An application under paragraph (1) shall include information relating to the following:

''(A) The inability of the applicant to carry out an activity under subsection (a) unless such applicant receives such grant to fund such activity.

''(B) The long-term plans of such applicant to retain emergency medical services personnel after such grant ends.

''(C) If such applicant proposes to carry out an activity described in subsection (a)(1), how such applicant plans to satisfy the requirements under subsection (e).

''(c) COMPETITIVE GRANTS; PREFERENCE.—A grant under this section shall be made on a competitive basis through a neutral peer review process, but the Administrator may give preferential consideration to a grant application that involves a non-Federal contribution for an activity described in subsection (a)(1).

''(d) GRANT PERIOD.—A grant under this section shall be for a period of 3 years.

''(e) LIMITATION FOR HIRING EMS PERSONNEL.—Of the amount of any funding received through a grant under this section, an eligible entity that receives such a grant may use to hire emergency medical services personnel—

''(1) with respect to each of the first and second years of the grant period described in paragraph (3), not more than 75 percent of such funding; and

''(2) with respect to third year of such grant period, not more than 35 percent of such funding.

''(f) OFF-DUTY SERVICES.—An eligible entity that hires emergency medical services personnel with funds from a grant under this section may not discriminate against such personnel on the basis of, or prohibit such personnel from, engaging in volunteer emergency medical services during the off-duty hours of such personnel.

''(g) LIMITATIONS ON FUNDS.—

''(1) SUPPLEMENT NOT SUPPLANT.—Funds received under this section shall be used to supplement and not supplant State funds, local funds, or funds supplied by the Bureau of Indian Affairs described under subsection (h).

''(2) MAINTENANCE OF EFFORT.—With respect to any activity for which a grant under this section is to be expended, an eligible entity shall agree to maintain expenditures of amounts from State sources, local sources, or the Bureau of Indian Affairs for such an activity at a level that is not less than the level of such expenditure maintained by such eligible entity for the fiscal year preceding the

fiscal year for which such entity receives such a grant.

''(3) BUDGETS.—The Administrator may not make a grant to a municipality under this section with an annual budget for emergency medical services that has been reduced below 80 percent of the average funding level in the 3 years immediately preceding the date on which such municipality or other entity applies for such grant.

''(h) TRIBAL GOVERNMENTS.—Any funding supplied by the Bureau of Indian Affairs for the following activities may be considered a non-Federal contribution under this section:

''(1) An agency of a Tribal government performing emergency medical services on Tribal lands.

''(2) The Bureau of Indian Affairs performing such services on Tribal lands.

''(i) REVOCATION OR SUSPENSION OF FUNDING.—If the Administrator determines that an eligible entity that receives a grant under this section is not in substantial compliance with the terms or requirements of such grant, the Administrator may revoke or suspend funding with respect to such grant, in whole or in part.

''(j) MAJORITY VOLUNTEER AND ALL VOLUNTEER DEPARTMENTS AND ORGANIZATIONS.—At the beginning

of each fiscal year in which the Administrator makes a grant under this section, the Administrator shall set aside 10 percent of any funds made available under subsection (n) for eligible entities with majority volunteer, or all volunteer, personnel.

''(k) ECONOMIC HARDSHIP WAIVERS.—

''(1) IN GENERAL.—In a case of economic hardship, the Administrator may carry out any of the following:

''(A) Waive the application of subsection (g)(1).

''(B) Waive or reduce the application of subsection (e) or (g)(2).

''(2) GUIDELINES.—

''(A) IN GENERAL.—The Administrator shall publish guidelines for determining economic hardship under paragraph (1).

''(B) CONSULTATION AND CONSIDERATION.—In developing guidelines for publication under subparagraph (A), the Administrator shall carry out the following:

''(i) Consult with individuals who satisfy the following requirements:

''(I) Have been recognized for expertise in any of the following:

''(aa) Emergency medical services.

''(bb) The economic affairs of State or local governments.

''(II) Are members of any of the following:

''(aa) Eligible entities.

''(bb) National organizations that represent the interests of such governments.

''(ii) Consider, with respect to relevant communities, the following factors:

''(I) Changes in rates of unemployment from previous years.

''(II) Whether the rates of unemployment of such communities are currently and have consistently exceeded the annual national average rates of unemployment.

''(III) Changes from previous years in percentages of individuals who live in a household eligible to receive benefits through the supplemental nutrition assistance program established under the Food and Nutri-

tion Act of 2008 (7 U.S.C. 2011 et seq.).

''(IV) Such other factors as the Administrator determines appropriate.

''(l) TECHNICAL ASSISTANCE.—In carrying out this section, the Administrator may provide technical assistance to an eligible entity operated by a State that receives a grant under this section.

''(m) PERFORMANCE ASSESSMENT SYSTEM.—

''(1) IN GENERAL.—The Administrator shall establish a performance assessment system, including quantifiable performance metrics, to evaluate the extent to which grants made under this section are effective.

''(2) SUBMISSION.—The Administrator may require an eligible entity that receives a grant under this section to submit to the Administrator information the Administrator considers necessary for the system established under paragraph (1).

''(n) ACCESS TO DOCUMENTS.—The Administrator and the Comptroller General of the United States shall, for audit and examination purposes relating to carrying out this section, have access to—

''(1) any pertinent books, documents, papers, or records of an eligible entity that receives a grant under this section; and

''(2) any pertinent books, documents, papers, or records of State or local governments, persons, private sector entities, or other entities involved in an activity carried out through such grant.

''(o) REPORT.—Not later than September 30, 2030, the Administrator shall submit to the Secretary a report on the effectiveness of grants made under this section, including any recommendation for legislation regarding such grants.

''(p) DEFINITIONS.—In this section:

''(1) EMS TERMS.—The terms 'career fire department', 'combination fire department', 'nonaffiliated EMS organization', and 'volunteer fire department' have the meaning given such terms in section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229).

''(2) ELIGIBLE ENTITY.—The term 'eligible entity'—

''(A) means a career fire department, combination fire department, volunteer fire department, nonaffiliated EMS organization, or the

municipality in which such a department or organization operates; and

''(B) does not include such a department, organization, or municipality that has received a grant under section 553 with respect to rural emergency medical service training and equipment assistance.

''(3) EMERGENCY MEDICAL SERVICES PERSONNEL.—The term 'emergency medical services personnel' includes an individual who is employed by or volunteers at a station for deploying emergency medical services.

''(q) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $750,000,000 for each of fiscal years 2027 through 2031.

''(2) ADMINISTRATIVE EXPENSES.—Of the amounts authorized to be appropriated under paragraph (1) for a fiscal year, the Administrator may not use more than 5 percent of such amounts to cover salaries, expenses, and other administrative costs incurred by the Administrator with respect to carrying out this section.

''(r) TERMINATION.—This section shall terminate on September 30, 2031.''.