

NASEMSO Data Managers Council

DMC Listserv Question: September 28, 2016
 Asked by Tim Erskine (OH)

QUESTIONS:

Do you have penalties for late submission of data? If yes:

1) Do you have the authority/ability to fine agencies for late submission of data?

2) What is the authorized fine?

3) Are there any authorized non-monetary fines/sanctions for late submission? (example: license suspension or ineligibility to participate in certain programs)

4) Have you ever used any of the available fines or sanctions?

State	Respondent	Do you have the authority/ability to fine agencies for late submission of data?	What is the authorized fine?	Are there any authorized non-monetary fines/sanctions for late submission?	Have you ever used any of the available fines or sanctions?
AZ	Anne Vossbrink	No	N/A	Agencies who have been awarded a CON (ground, can transport) in the last few years are required to submit data as part of the requirements to keep their CON – they could lose their CON if they do not comply. Non-transporting agencies and Air agency are not required, and older CON holders were grandfathered in and so do not have the requirement to submit.	No – but letters and meetings with agencies have been held. They have all eventually submitted again.
DE	Michelle Johnson	No	N/A	License suspension	Yes
GA	Ernie Doss	Yes, require mandatory reporting and we have the ability to sanction and fine licensees for violations of the department's rules and regulations	Up to \$1,000/occurrence with a max of \$25,000	Yes, the department can apply any of its corrective actions	Yes

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IL	Dan Lee	No	N/A	Potential expulsion of the agency from its EMS System (an organization of hospitals, vehicle service providers and personnel approved by the Department in a specific geographic area, which coordinates and provides pre-hospital and inter-hospital emergency care and non-emergency medical transports at a BLS, Advanced, ILS and/or ALS level pursuant to a System Program Plan submitted to and approved by the Department, and pursuant to the EMS Region Plan adopted for the EMS Region in which the System is located). Membership in an EMS System is a prerequisite for state licensure.	No
IN	Angie Biggs	Yes	Up to \$500.00 per occurrence	Suspension, probation and if excessive would warrant revocation.	Yes, but on other non-rule compliance
IA	Terry Smith	No	N/A	The bureau can reprimand, suspend, revoke a license for late data submission.	Just cite & warn letters – mostly for lack of data submission
LA	Chris Hector	No	N/A	No but we do have a program to assist EMS in moving to or improving electronic data collection. The state provides software and the grant managed by the Louisiana Ambulance Alliance offers money for hardware. Part of the agreement to receive funds is submitting data to the state.	No

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MA	Ridgely Ficks	Yes	Our regulations allow for fines but we have never instituted. The process is supposedly time/labor intensive for our legal group.	Submission is a condition of licensure	our ambulance inspectors cite services and require a specific measurable a plan of correction
MI	Kevin Putman	No	N/A	The only tool we have for an agency that violates any laws or rules is to suspend or revoke the license.	This has never been used, but we did send out letters to our agencies that were non-compliant two years ago. After several calls from the Governor's Office, upper administration told us to not send out anymore letters.
MS	Donna Smith	Yes	Up to \$1,000 per occurrence	Civil actions in county court	Yes
NJ		Yes	250	No	Not issued that often.

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NM	Charles Becvarik	No	starting next year the NM EMS Bureau will be looking to withhold the EMS Service annual funding for not reporting or not following reporting guidelines/timelines in the NMEMSTARS Data System	No	N/A

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NY	Michael Tayler				<p>NY has required submission, but nothing mandating a timeline. So although we technically have the ability to fine, we've never tried, nor actually had to pursue it with any EMS service. Our Regional EMS Program Agencies are paid to collect/monitor PCR submissions monthly, and will hound the EMS Services if they are late. So in effect, instead of fining, we have hired guns 🏹</p>
ND	Lindsey Narloch	No	N/A	Inability to receive grant funding from our office until current	<p>Yes – We withheld two grants recently until they were caught up. Most times people are unaware the service has fallen behind. Also, our law states 30 days, we don't withhold money unless they are very delinquent.</p>

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TN	Gary Shirley	TN has the authority to level civil penalties for violation of rules and/or bring the service before the regulatory board for disciplinary action for rule violation.	Civil penalties by law are Maximum \$50.00 per violation per day	Yes the regulatory board can reprimand, probation, suspend or revoke a Services License to operate	No because we have not had a system without problems for collection we will begin after we have completed our RFP and are assured our system is functioning and everyone can submit to the system
UT		Yes	Up to \$10,000 per day.	Yes. We will not allow them to be eligible for State grant money	No on the fines. Yes on the grant ineligibility
WY	Jay Otsby	No	N/A	The agency may lose their business license	We have given 6 month, 3 month, 60 day and 30 day notices to not renew the agencies license from failing to comply with reporting