



Committee: PS
Committee Review: At a future date
Staff: Christine Wellons, Chief Legislative Attorney
Purpose: To introduce agenda item – no vote expected

AGENDA ITEM #1A
February 3, 2026
Introduction

SUBJECT

Expedited Bill 6-26, Fire and Rescue Services - Emergency Medical Services Insurance Reimbursement Program - Use of Revenues

Lead sponsors: Councilmembers Luedtke, Katz and Mink

Co-sponsor: Council President Fani-González

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A

DESCRIPTION/ISSUE

Expedited Bill 6-26 would:

- (1) permit the authorized local fire and rescue department (LFRD) representative to receive revenues collected under the Emergency Medical Services Insurance Reimbursement Program under certain circumstances;
- (2) specify certain permitted uses of the revenues; and
- (3) generally amend the laws regarding emergency medical services in the County.

SUMMARY OF KEY DISCUSSION POINTS

- N/A

This report contains:

Staff Report
Expedited Bill 6-26

Page 1
© 1

Alternative format requests for people with disabilities. If you need assistance accessing this report you may [submit alternative format requests](#) to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at adacompliance@montgomerycountymd.gov

M E M O R A N D U M

January 29, 2026

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Expedited Bill 6-26, Fire and Rescue Services - Emergency Medical Services Insurance Reimbursement Program - Use of Revenues

PURPOSE: Introduction – no vote required

Expedited Bill 6-26, Fire and Rescue Services - Emergency Medical Services Insurance Reimbursement Program - Use of Revenues, is scheduled for introduction on February 3, 2026. The Lead Sponsors of the bill are Councilmembers Luedtke, Katz and Mink. Council President Fani-González is a Co-Sponsor. A public hearing is tentatively scheduled for February 24 at 1:30 p.m.

Expedited Bill 6-24 would:

- (1) permit the authorized local fire and rescue department (LFRD) representative to receive revenues collected under the Emergency Medical Services Insurance Reimbursement Program under certain circumstances;
- (2) specify certain permitted uses of the revenues; and
- (3) generally amend the laws regarding emergency medical services in the County.

BACKGROUND

Effective January 1, 2013, [Bill 17-12E](#) and [Bill 17-13](#) authorized the Montgomery County Fire & Rescue Service (MCFRS) to seek reimbursement for ambulance transports from private health insurance companies, Medicare, or Medicaid. Under the law, Montgomery County residents are not required to pay any out-of-pocket expenses (co-payment, deductible, or uninsured portion of the cost of each emergency medical services transport) relating to emergency medical services transport services provided by MCFRS.

The revenue generated from the program (*i.e.*, the reimbursements from health insurance programs) is used to provide equipment, enhancement, and training for MCFRS and volunteer local fire and rescue departments (LFRDs) without additional cost and increased taxes on county residents. See [Emergency Medical Transportation Insurance Reimbursement Act: keeping the County Safe and](#)

[Sound - Montgomery County, Maryland and Frequently Asked Questions - Emergency Medical Transportation Insurance Reimbursement Act - Montgomery County, Maryland.](#)

The County law (Code Section 21-23A) contemplates that fifteen percent of the net EMST revenues will be allocated annually, through the County operating budget resolution, to support local fire and rescue departments (LFRDs). Historically, the authorized LFRD representative has entered into contracts with the County regarding the distribution of EMST funds. In 2025, however, a report from the Office of the Inspector General opined that any distribution of funds directly to the LFRD representative was inconsistent with the provisions of County Code as written. See [Improper Allocation of EMST funds to MCVFRA](#)

The purpose of Expedited Bill 6-26 is to explicitly permit the distribution of funds to the LFRD representative, for certain purposes in support of LFRDs, in accordance with the County's annual budget resolutions and any contracts entered into between the County and the LFRD representative.

BILL SPECIFICS

In accordance with the purpose described above, Expedited Bill 6-26 would provide that the annual operating budget resolution may require or authorize the distribution of EMST revenue for certain purposes to either or both: (i) the authorized LFRD representative; and (ii) individual local fire and rescue departments.

Furthermore, the Executive would expressly be permitted to enter into one or more contracts on behalf of the County to effectuate the distribution of the funds pursuant to the operating budget resolution.

The funds would continue to be used for the specific purposes of supporting LFRDs enumerated under Section 21-23A, including for:

- apparatus for LFRD;
- facilities for LFRDs;
- training for volunteers;
- gear and equipment for volunteers;
- administrative staff;
- volunteer recruitment and retention; and
- volunteer stand-by support.

This packet contains:
Expedited Bill 6-26

Circle #
1

Expedited Bill No. 6-26
Concerning: Fire and Rescue Services –
Emergency Medical Services
Insurance Reimbursement Program –
Use of Revenues
Revised: 1/22/2026 Draft No. 1
Introduced: _____
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmembers Luedtke, Katz, and Mink
Co-Sponsor: Council President Fani-González

AN EXPEDITED ACT to:

- (1) permit the authorized local fire and rescue department (LFRD) representative to receive revenues collected under the Emergency Medical Services Insurance Reimbursement Program under certain circumstances;
- (2) specify certain permitted uses of the revenues; and
- (3) generally amend the laws regarding emergency medical services in the County.

By amending

Chapter 21, Fire and Rescue Services
Section 21-23A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 21-23A is amended as follows:

21-23A. Emergency Medical Services Insurance Reimbursement Program.

* * *

(c) *Imposition of reimbursement.* The County must impose a reimbursement charge for any emergency medical services provided in the County, and, unless prohibited by other law, outside the County under a mutual aid agreement.

* * *

(f) *County Residents - Payment of Uninsured Portion of the Emergency Medical Services Reimbursement.*

(1) County residents must not be required to pay any out-of-pocket expense relating to any emergency medical services because residents are deemed to have paid any co-payment, deductible, or uninsured portion of the cost of emergency medical services through taxes paid to the County.

(2) Tax revenues the County receives must be treated as payment, on behalf of County residents, of the balance of each resident's portion of the emergency medical services charge that is not covered by the resident's insurance.

(3) The County Council must annually transfer from the General Fund to the Consolidated Fire Tax District Fund an amount that the Council estimates will not be covered by residents' insurance as payment of all residents' uninsured portion of the emergency medical services charge.

(g) *Restriction on Local Fire and Rescue Departments.* A local fire and rescue department must not impose a separate charge for emergency medical services.

(h) *Use of Revenue.*

(1) Except for the transfer received from the General Fund under subsection (f), the revenues collected from the emergency medical services reimbursement must be used to supplement, and must not supplant, Fiscal Year 2013 expenditures appropriated in the annual operating budget resolution (not including any expenditures of revenue collected under this program in Fiscal Year 2013) for emergency medical services and other related fire and rescue services provided by the Fire and Rescue Service.

(2) The Fire Chief must create a dedicated account in the fire fund for the revenues collected from reimbursements under this Program. This amount must only be used for increased or enhanced fire and rescue services above the level appropriated in Fiscal Year 2013, as provided in paragraph (1), including new field service positions related to expansion of 4 person staffing or opening of new fire stations; increased training classes or capacity; facility maintenance and repair; new or replacement apparatus, gear, or equipment. Not more than 30 percent of this account may be spent for personnel costs.

(3) (A) Fifteen percent of the net Emergency Medical Services Insurance Reimbursement Program revenue must be allocated under a procedure specified in the annual operating budget resolution for [the benefit of local fire and rescue departments for]:

(i) replacement or augmentation of apparatus [owned] used by [a] one or more local fire and rescue [department] departments;

- (ii) facilities [owned] used by [a] one or more local fire and rescue [department] departments;
- (iii) training for volunteers;
- (iv) gear and equipment for volunteers;
- (v) administrative staff, including administrative staff of the authorized LFRD representative, to support [a] one or more local fire and rescue [department] departments;
- (vi) volunteer recruitment and retention; and
- (vii) volunteer stand-by support.

(B) Any administrative staff hired or retained by a local fire and rescue department or the authorized LFRD representative using revenue allocated under this Section is not a County employee or a member of the separate merit system referred to in Section 21-16(a).

(C) The annual operating budget resolution under subparagraph (A) may require or authorize the distribution of revenue to either or both:

- (i) the authorized LFRD representative; and
- (ii) individual local fire and rescue departments.

(D) The Executive may enter into one or more contracts on behalf of the County to effectuate the distribution of funds as specified under subparagraph (C).

* * *

Sec. 2. Expedited Effective Date. The Council declares that this Act is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.