

2024 South Dakota Legislature

House Bill 1097**AMENDMENT 1097A
FOR THE INTRODUCED BILL**

1 **An Act to authorize transportation activities by air ambulance ~~services operators~~.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That a NEW SECTION be added to chapter 34-11:**

4 An air ambulance ~~service operator~~ may use a ground ambulance to transport a
5 patient between:

6 (1) An acute care hospital and the airport at which the service maintains its ordinary
7 and usual place of business; and

8 (2) The airport at which the air ambulance ~~service operator~~ maintains its ordinary and
9 usual place of business and an acute care hospital.

10 **Section 2. That a NEW SECTION be added to chapter 34-11:**

11 An air ambulance ~~service operator~~ may utilize the ~~service's operator's~~ ground
12 ambulance for ~~a the~~ non-emergent transfer of a patient from one healthcare facility to
13 another healthcare facility if:

14 ~~(1) The patient's attending medical practitioner determines that the patient requires a~~
15 ~~level of care that is not available without a transfer;~~

16 ~~(2) The use of an air ambulance is precluded due to:~~

17 ~~(a) Mechanical issues; or~~

18 ~~(b) Weather issues; and~~

19 ~~(3) The area's primary ambulance service provider is first given the opportunity to~~
20 ~~transport the patient and is unable to begin the transport:~~

21 ~~(a) Within thirty minutes; or~~

22 ~~(b) Within the period of time approved by the patient's attending medical~~
23 ~~practitioner the patient's attending healthcare practitioner determines that the patient~~
24 ~~requires a level of care that is not available or is not appropriate at the transferring facility,~~
25 ~~and:~~

- 1 (1) The operator is unable to use the operator's air ambulance to transport the patient
2 due to mechanical problems or inclement weather conditions;
- 3 (2) The operator offered the area's designated ground ambulance operator the
4 opportunity to transport the patient and the ground ambulance operator declined
5 the offer; or
- 6 (3) The operator offered the area's designated ground ambulance operator the
7 opportunity to transport the patient and the ground ambulance operator is unable
8 to begin transporting the patient within the greater of:
- 9 (a) Sixty minutes; or
- 10 (b) The period prescribed by the patient's attending healthcare practitioner.