

EMS COUNTS ACT

SEPTEMBER 19, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Ms. FOXX, from the Committee on Education and the Workforce,
submitted the following

R E P O R T

[To accompany H.R. 2574]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and the Workforce, to whom was referred the bill (H.R. 2574) to require the Secretary of Labor to revise the Standard Occupational Classification System to accurately count the number of emergency medical services practitioners in the United States, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “EMS Counts Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Emergency medical services (in this Act referred to as “EMS”) personnel provide a critical role in emergency response. EMS consists of a diverse group of health care practitioners, such as paramedics, emergency medical technicians (in this Act referred to as “EMTs”), dual-role firefighter/EMTs, firefighter/paramedics, and volunteer personnel serving in each of such roles.

(2) EMS is an integral component of the response capacity of the United States to disasters and public health crises, such as outbreaks of infectious diseases, bombings, mass shootings, earthquakes, tornadoes, and hurricanes. EMS personnel respond to more than 22,000,000 emergency calls each year including strokes, heart attacks, cardiac arrest, and trauma.

(3) The Bureau of Labor Statistics compiles information on the number of individuals working in roles across the entire United States workforce. The Bureau of Labor Statistics completes this work by maintaining the Standard Occupational Classification system which classifies workers and jobs into occupational categories for the purpose of collecting, calculating, analyzing, or disseminating data.

(4) The BLS fails to accurately count EMS practitioners because of its failure to include dual-role firefighter/EMTs and firefighter/paramedics in their count of EMS personnel.

(5) Accurately counting the EMS workforce is critical for government agencies in determining the needs of EMS agencies and practitioners. These data are also crucial for informing many aspects of policy including preparedness for natural disasters, public health emergencies, and acts of terrorism.

SEC. 3. REVISION OF STANDARD OCCUPATIONAL CLASSIFICATION SYSTEM.

(a) IN GENERAL.—The Director of the Office of Management and Budget (in this Act referred to as the “Director”) shall, as part of the first revision process of the Standard Occupational Classification system occurring after the date of enactment of this Act, consider establishing a separate code, as a subset of firefighter occupations, for each of the following:

- (1) Firefighters.
- (2) Firefighter/EMTs.
- (3) Firefighter/Paramedics.
- (4) Firefighters, All Other.

(b) REPORT TO CONGRESS.—If the Director decides not to establish the separate codes described in subsection (a), the Director shall, not later than 60 days after the Director announces in the Federal Register the final decision of the revision process described in such subsection, submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Education and the Workforce of the House of Representatives a report explaining why such separate codes were not established.

PURPOSE

H.R. 2574, the *EMS Counts Act*, directs the Office of Management and Budget (OMB) to consider dividing the occupational category of “Firefighter” into four subcategories (“Firefighters,” “Firefighter/EMT,” “Firefighter/Paramedics,” and “Firefighters, All Other”) in order to identify more clearly those who are cross-educated as emergency medical technicians (EMTs), as paramedics, and in other specialties.

COMMITTEE ACTION

118TH CONGRESS

Legislative Action

On April 10, 2023, Representative Susan Wild (D-PA) introduced H.R. 2574 with Representative Glenn “GT” Thompson (R-PA) and Delegate Eleanor Holmes Norton (D-DC) as original cosponsors. The bill was solely referred to the Committee on Education and the Workforce (Committee).

On July 10, 2024, the Committee considered H.R. 2574 in legislative session and reported it favorably, as amended, to the House of Representatives by a recorded vote of 42–0. The Committee considered an Amendment in the Nature of a Substitute (ANS) offered by Representative Thompson. The ANS struck the provision requiring the Secretary of Labor to divide the “Firefighter” occupational category into four subcategories (“Firefighters,” “Firefighter/EMT,” “Firefighter/Paramedics,” and “Firefighters, All Others”) and replaced it with language directing OMB to consider dividing the “Firefighter” occupation into these four subcategories. The ANS also directed OMB to provide an explanation to the Committee and the Senate Homeland Security and Governmental Affairs Committee in the event OMB does not divide the “Firefighter” occupational category into these four subcategories. The ANS was adopted by voice vote. The Committee also considered an amendment to the ANS offered by Representative Wild extending the deadline of the

reporting requirement in the event OMB does not divide the “Firefighter” occupational category into these four subcategories by an additional 30 days. The amendment was adopted by voice vote.

COMMITTEE VIEWS

INTRODUCTION

H.R. 2574 directs OMB to consider dividing the occupational category of “Firefighter” into four subcategories (“Firefighters,” “Firefighter/EMT,” “Firefighter/Paramedics,” and “Firefighters, All Other”). This will address the miscounting of emergency medical services (EMS) personnel by more clearly identifying certain firefighters as cross-educated EMS providers.

STANDARD OCCUPATIONAL CLASSIFICATION SYSTEM

The Standard Occupational Classification (SOC) is a statistical standard that federal agencies use to classify workers in job-related categories for the purpose of collecting, calculating, or disseminating data. Occupations are classified based on work performed and, in some cases, on the skills and education needed to perform the work.¹ OMB requires the use of the SOC when publishing federal statistics about occupations, makes the final decisions about the SOC, publishes the “SOC Manual,” and charts the “SOC Policy Committee.” The SOC Policy Committee assists OMB by conducting the process that revises the SOC and serves as a standing committee to recommend changes to the SOC. The SOC Policy Committee is comprised of representatives of federal agencies which collect occupational statistics or have expertise in occupational classification, and it is chaired by the Department of Labor’s Bureau of Labor Statistics (BLS).²

REVISION PROCESS

OMB’s last revision to the SOC was released in 2018, and OMB intends to consider revisions to the SOC every 10 years. SOC revisions aim to reflect changes in the workforce, to fix known issues, and to retain flexibility for the future. SOC revisions are a multi-year process. On June 12, 2024, OMB published a Federal Register notice soliciting comments for the 2028 revision of the SOC, kicking off the next round of revisions which are expected to be completed by 2028.³ During the revision process, the SOC Policy Committee, which is led and staffed by BLS, will carry out the following activities:

- Review and possibly revise the “SOC Classification Principles and Coding Guidelines.”
- Consider whether major occupation group structure should be changed.
- Conduct outreach to those who may wish to provide recommendations for the revision.

¹ BLS, 2018 STANDARD OCCUPATIONAL CLASSIFICATION, USER GUIDE 2 (Nov. 2017), <https://www.aiaa.org/files/o-files/view-file/B0A7E89A-24FB-4E84-AE9E-C4088CF5E21C>.

² BLS, REVISING THE STANDARD OCCUPATIONAL CLASSIFICATION 2 (Mar. 2014), https://www.bls.gov/soc/revising_the_standard_occupational_classification_2018.pdf.

³ BLS, FEDERAL REGISTER NOTICE FOR THE 2028 SOC (June 2024), https://www.bls.gov/soc/notices/2024/next_revision.htm.

- Solicit and review input from the public and federal agencies.
- Review initial input and develop proposed recommendations to OMB.
- Solicit public comments on the proposed recommendations.
- Review comments and make final recommendations to OMB.⁴

OMB will then consider BLS' recommendations and approve the final SOC. Following its approval, BLS will revise the 2018 SOC Manual and supporting materials, make them available to the public, and continue its role of maintaining the classification leading up to the next revision.⁵

CURRENT CLASSIFICATION

EMS personnel are a diverse group of first responders, including paramedics, EMTs, and dual-role firefighters. Under the current SOC, firefighters have their own category. Because a vast majority of firefighters are cross-educated as EMTs,⁶ the BLS defines EMTs as workers who “assess injuries and illnesses and administer basic emergency medical care [. . . and m]ay transport injured or sick persons to medical facilities” but who are not paramedics, firefighters, and non-EMT ambulance drivers and attendants. This is consistent with SOC coding guidelines, which require that “when workers in a single job could be coded in more than one occupation, they should be coded in the occupation that requires the highest level of skill.”⁷ In fact, several states require EMT credentials of all firefighters, meaning that the credentials differentiating workers who operate primarily as firefighters from other EMT workers in those states is their specialized firefighter education.⁸ In turn, firefighters earn roughly 50 percent more per hour on average than EMTs due to the additional firefighter-specific education required, as well as other job expectations.⁹

However, this classification may be misleading to those unfamiliar with the SOC's coding guidelines and may lead to individuals assuming firefighters are not cross-educated as paramedics or EMTs.¹⁰ Specifically, the SOC says that firefighters “control and extinguish fires or respond to emergency situations where life, property, or the environment is at risk. Duties may include fire prevention, emergency medical service, hazardous material re-

⁴BLS, REVISING THE STANDARD OCCUPATIONAL CLASSIFICATION 9 (Mar. 2014), https://www.bls.gov/soc/revising_the_standard_occupational_classification_2018.pdf.

⁵*Id.* at 9.

⁶UNITEKEMT, EMT TO FIREFIGHTER: CAREER GUIDE FOR FIREFIGHTER EMTS (Mar. 14, 2022), <https://www.unitekemt.com/blog/emt-to-firefighter-a-career-guide-for-aspiring-firefighter-emts/>; Steve Prziborowski, *Becoming a firefighter: 10 must-do things*, FireRescue1, Apr. 15, 2024, <https://www.firerescue1.com/career-1/articles/becoming-a-firefighter-10-must-do-things-wmOqMRqBfrm8Jflg/>.

⁷BLS, REVISING THE STANDARD OCCUPATIONAL CLASSIFICATION 8 (Mar. 2014), https://www.bls.gov/soc/revising_the_standard_occupational_classification_2018.pdf.

⁸SURRY COMMUNITY COLLEGE, <https://surry.edu/uploads/docs/Licensure-Contacts-by-State-Firefighter.pdf>.

⁹According to the May 2021 release of the BLS's Occupational Employment and Wage Statistics, firefighters earned on average \$26.58 per hour, whereas EMTs earned \$17.64 per hour on average. <https://www.bls.gov/oes/2021/may/oes292042.htm> and <https://www.bls.gov/oes/2021/may/oes332011.htm>.

¹⁰Letter from Academy of Int'l Mobile Healthcare Integration et al. to Chairwoman Virginia Foxx & Ranking Member Bobby Scott, Comm. on Educ. & the Workforce (Sept. 12, 2023), https://www.naemt.org/docs/default-source/advocacy-documents/letters-and-comments/ems-counts-support-letter---ed-and-workforce---final.pdf?Status=Temp&sfvrsn=4674f293_2.

sponse, search and rescue, and disaster assistance.”¹¹ Not explicitly recognizing cross-education may lead to a significant undercount of EMS personnel in the United States.¹²

IMPACTS OF UNDERCOUNTING

Sixty-two percent of all fire departments provide EMS.¹³ The current SOC structure focuses on the primary role of firefighters rather than who their employer is, which may result in an undercount of EMS personnel. In 2021, BLS data showed a count of roughly 248,000 paramedics and EMTs in the United States, whereas the true number of EMS-educated personnel at that time was more than 1 million according to the 2020 National EMS Assessment. EMS professionals respond to nearly 42 million 911 calls per year.¹⁴ Without correct data on the number of EMTs and paramedics practicing throughout the United States, it will become increasingly difficult to meet the health and safety needs of communities throughout the nation.

CONCLUSION

It is critical that the federal government collects accurate, comprehensive data on the quantity, location, and education of first responders within the United States. This is why OMB should consider dividing the “Firefighter” occupation into the four subcategories noted above to allow firefighters to be identified as cross-educated EMS providers. Clearer data on the number of EMS personnel in the United States would ensure that communities across the country are better prepared for emergencies.

SUMMARY

H.R. 2574 SECTION-BY-SECTION SUMMARY

Section 1. Short title

Section 1 provides that the short title is “EMS Counts Act.”

Section 2. Findings

Section 2 provides justification for OMB to include dual-role firefighter/EMTs and firefighter/paramedics in their count of EMS personnel.

Section 3. Revision of standard occupational classification system

Section 3 directs OMB to consider dividing the occupational category of “Firefighter” into four subcategories (“Firefighters,” “Firefighter/EMT,” “Firefighter/Paramedics,” and “Firefighters, All Other”). Section 3 also directs OMB to provide an explanation to the Committee and the Senate Homeland Security and Governmental Affairs Committee in the event OMB does not divide the “Firefighter” occupational category into these four subcategories. OMB must provide this explanation within 60 days of the publication of the next revision of the SOC.

¹¹ BLS, 2018 STANDARD OCCUPATIONAL CLASSIFICATION SYSTEM, (https://www.bls.gov/soc/2018/major_groups.htm#33-0000).

¹² SEN. BOB CASEY, ONE-PAGER ON EMS COUNTS ACT, https://www.casey.senate.gov/imo/media/doc/one_pager_ems_counts_act.pdf.

¹³ Letter from Academy of Int’l Mobile Healthcare Integration et al., *supra* note 5.

¹⁴ *Id.*

EXPLANATION OF AMENDMENTS

The amendments, including the amendment in the nature of a substitute, are explained in the body of this report.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch. H.R. 2574 directs OMB to consider dividing the occupational category of “Firefighter” into four subcategories (“Firefighters,” “Firefighter/EMT,” “Firefighter/Paramedics,” and “Firefighters, All Other”) in order to identify those who are cross-educated as emergency medical technicians (EMTs), as paramedics, and in other specialties. H.R. 2574 applies solely to OMB and therefore does not apply to the Legislative Branch.

UNFUNDED MANDATE STATEMENT

Pursuant to Section 423 of the Congressional Budget and Impoundment Control Act of 1974, Pub. L. No. 93–344 (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act of 1995, Pub. L. No. 104–4), the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office (CBO) pursuant to section 402 of the Congressional Budget and Impoundment Control Act of 1974.

EARMARK STATEMENT

H.R. 2574 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

ROLL CALL VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee Report to include for each record vote on a motion to report the measure or matter and on any amendments offered to the measure or matter the total number of votes for and against and the names of the Members voting for and against.

Date: 7/10/2024

COMMITTEE ON EDUCATION AND THE WORKFORCE RECORD OF COMMITTEE VOTE

Roll Call: 2

Bill: H.R. 2574

Amendment Number: n/a

Disposition: Motion to Report H.R. 2574, as amended, passed by a Full Committee Roll

Call Vote (42 y – 0 n)

Sponsor/Amendment: Rep. Glenn Thompson / HR2574__ANS

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mrs. FOXX (NC) (Chairwoman)	X			Mr. SCOTT (VA) (Ranking)	X		
Mr. WILSON (SC)	X			Mr. GRIJALVA (AZ)			X
Mr. THOMPSON (PA)	X			Mr. COURTEY (CT)	X		
Mr. WALBERG (MI)	X			Mr. SABLON (MP)	X		
Mr. GROTHMAN (WI)	X			Ms. WILSON (FL)	X		
Ms. STEFANIK (NY)	X			Ms. BONAMICI (OR)	X		
Mr. ALLEN (GA)	X			Mr. TAKANO (CA)	X		
Mr. BANKS (IN)	X			Ms. ADAMS (NC)	X		
Mr. COMER (KY)	X			Mr. DESAULNIER (CA)	X		
Mr. SMUCKER (PA)	X			Mr. NORCROSS (NJ)	X		
Mr. OWENS (UT)	X			Ms. JAYAPAL (WA)			X
Mr. GOOD (VA)	X			Ms. WILD (PA)	X		
Mrs. MCCLAIN (MI)	X			Ms. MCBATH (GA)	X		
Mrs. MILLER (IL)	X			Mrs. HAYES (CT)	X		
Mrs. STEEL (CA)	X			Ms. OMAR (MN)	X		
Mr. ESTES (KS)	X			Ms. STEVENS (MI)	X		
Ms. LETLOW (LA)	X			Ms. LEGER FERNÁNDEZ (NM)	X		
Mr. KILEY (CA)	X			Ms. MANNING (NC)	X		
Mr. BEAN (FL)	X			Mr. MRVAN (IN)	X		
Mr. BURLISON (MO)	X			Mr. BOWMAN (NY)			X
Mr. MORAN (TX)	X						
Ms. CHAVEZ-DEREMER (OR)	X						
Mr. WILLIAMS (NY)	X						
Ms. HOUGHIN (IN)	X						
Mr. RULLI (OH)	X						

TOTALS: Ayes: 42

Nos: 0

Not Voting: 3

Total: 45 / Quorum: / Report:

(25 R - 20 D)

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause (3)(c) of House rule XIII, the goal of H.R. 2574, is to provide accurate data on the number of EMTs and paramedics practicing throughout the United States.

DUPLICATION OF FEDERAL PROGRAMS

No provision of H.R. 2574 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the committee's oversight findings and recommendations are reflected in the body of this report.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office.

H.R. 2574, EMS Counts Act			
As ordered reported by the House Committee on Education and the Workforce on July 10, 2024			
By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply? No	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Mandate Effects	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2574 would require the Office of Management and Budget to consider dividing the general occupational category of firefighters into four subcategories when it next revises the Standard Occupational Classification (SOC) system, as follows:

- Firefighters;
- Firefighters/EMTs (or emergency medical technicians);
- Firefighters/Paramedics; and

- Firefighters, All Other.

The SOC system is a federal statistical standard used to classify workers into occupational categories for the purpose of collecting, calculating, and disseminating data.

Since 1977, the SOC system has been revised four times—in 1980, 2000, 2010, and 2018—to reflect changes in the economy and the nature of work. Because of that ongoing but irregular activity, CBO estimates that implementing H.R. 2574 would not significantly affect federal spending over the 2025–2029 period.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 2574. However, clause 3(d)(2)(B) of that Rule provides that this requirement does not apply when, as with the present report, the Committee adopts as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 2574 makes no changes to existing law.

