

CHARTER
National Emergency Medical Services Advisory Council

- 1. Advisory Committee's Official Designation.** The National Emergency Medical Services Advisory Council (NEMSAC).
 - 2. Authority.** The NEMSAC, which is authorized under Section 31108 of the Moving Ahead for Progress in the 21st Century Act of 2012, codified at 42 U.S.C. § 300d-4, operates in coordination with the Secretary of Health and Human Services and the Secretary of Homeland Security. The NEMSAC shall operate in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. ch. 10), and the terms of this charter.
 - 3. Objectives and Scope of Activities.** The purpose of NEMSAC is to serve as a nationally recognized council of emergency medical services (EMS) representatives to provide advice and consult with:
 - a. The Federal Interagency Committee on Emergency Medical Services (FICEMS) on matters relating to EMS issues; and
 - b. The Secretary of Transportation on matters relating to EMS issues affecting DOT, including the National Highway Traffic Safety Administration's (NHTSA) Office of Emergency Medical Services (OEMS).
- NEMSAC serves as a forum for the development, consideration, and communication of information from a knowledgeable, independent perspective. NEMSAC may provide recommendations, advice, and consultation only as detailed in Sections 3 and 5 of this charter.
- 4. Description of Duties.** Consistent with Sections 3 and 5 of this charter, NEMSAC is authorized to:
 - a. Consider information and topics on EMS issues presented by NHTSA OEMS and make recommendations and dispense advice to the Secretary of Transportation and/or FICEMS through the Designated Federal Officer (DFO).
 - b. Respond to requests for consultation and advice on EMS issues from the Secretary of Transportation and/or FICEMS through the DFO.
 - c. NEMSAC shall prepare an annual report to the Secretary of Transportation regarding its actions and recommendations.
 - 5. Agency or Federal Officer Receiving the Advisory Committee's Advice/Recommendations.** NEMSAC reports to the Secretary of Transportation through the DFO. NEMSAC provides advice and consults with FICEMS on matters involving EMS issues through the DFO.
 - 6. Support.** NHTSA is the Federal sponsor of NEMSAC and will furnish support services for its operation.

7. Estimated Annual Operating Costs and Staff Years. The estimated annual direct operating cost of NEMSAC is \$210,000.00, which includes printing, meetings, miscellaneous costs, the estimated salary cost of staff support with benefits. The estimated annual staff time associated with the operation of NEMSAC is 0.75 full time equivalent.

8. Designated Federal Officer. The Director of NHTSA's OEMS, or designee, will serve as the DFO. The DFO must perform the following duties:

- a. Ensure NEMSAC activities comply with FACA, the FACA Final Rule, agency administrative procedures, and any other applicable laws and regulations;
- b. Approve or call all meetings of the Advisory Council or subcommittee;
- c. Approve the agenda;
- d. Attend all Advisory Council and subcommittee meetings for their duration;
- e. Fulfill the requirements under § 10(b) of FACA (codified at 5 U.S.C. 1009(b));
- f. Adjourn any meeting when the DFO determines it to be in the public interest;
- g. Chair any meeting when so directed by the agency head;
- h. Maintain information on Advisory Council activities and provide such information to the public, as applicable; and
- i. Ensure Advisory Council members and subcommittee members, as applicable, receive the appropriate training (e.g., FACA overview, ethics training) for efficient operation and compliance with FACA and the FACA Final Rule.

9. Estimated Number and Frequency of Meetings. The Advisory Council shall meet as frequently as is determined necessary by the chairperson of the Advisory Council (usually three to four times annually). The Chairperson will consult with the DFO regarding the frequency of meetings. Unless otherwise required by law or approved by the Secretary, all meetings will be held virtually (or in a hybrid forum that does not require additional use of Federal funds).

10. Duration. Continuing.

11. Termination. This charter shall terminate 2 years from its filing date unless it is renewed in accordance with FACA.

12. Membership and Designation. NEMSAC shall comprise 25 members, each of whom shall be appointed by the Secretary of Transportation, in coordination with the U.S. Departments of Homeland Security and Health and Human Services through their respective representatives on FICEMS. The NEMSAC members shall collectively be representative of all sectors of the EMS community. As such, representative members are expected to represent his or her sector as a whole.

These sectors may include:

- ▶ Volunteer EMS
- ▶ Fire-based (career) EMS
- ▶ Private (career non-fire) EMS
- ▶ Hospital-based EMS
- ▶ Tribal EMS

- ▶ Air Medical EMS
- ▶ Local EMS Service Officials
- ▶ EMS Physicians
- ▶ Emergency Physicians
- ▶ Trauma Surgeons
- ▶ Pediatric Emergency Physicians
- ▶ State EMS Officials
- ▶ State Highway Safety Officials
- ▶ EMS Educators
- ▶ State/Local 911 Officials
- ▶ EMS Data Management Officials
- ▶ EMS Quality Improvement Officials
- ▶ EMS Researchers
- ▶ Emergency Nurses
- ▶ Hospital Administration
- ▶ Public Health Officials
- ▶ Emergency Management Officials
- ▶ EMS Clinicians
- ▶ Consumers (not directly affiliated with healthcare)
- ▶ State or Local Legislative Bodies

The Council's broad-based membership will ensure that it has sufficient EMS system expertise to accurately reflect the EMS community. Members will be selected for their ability to represent sectors of the EMS community, but no member will represent a specific organization.

The Secretary of Transportation shall appoint each member for up to a 2-year term. Members may be reappointed but may not serve more than two consecutive terms unless the Secretary determines that term extensions or additional terms are required to ensure representation of all sectors of EMS. Members are eligible to serve beyond the expiration of their terms but only until the Secretary appoints a successor. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall continue to serve until expiration of the predecessor's 2-year term. Members serve at the sole discretion of the Secretary, who has the right to terminate any member's appointment. If a member's status as a representative of a designated sector of the EMS community materially changes after appointment, the member's representative status will be terminated, unless the conditions found in agency administrative procedures concerning committee management are satisfied..

The members of NEMSAC shall annually select a chairperson and vice-chairperson of the Council. The vice-chairperson will serve as chairperson in the absence of the chairperson.

Council members will not receive pay or other compensation from NHTSA for their service but may be entitled to reimbursement of their hotel and travel expenses, including per diem, if the meeting is required by law or approved by the Secretary.

13. Federal Liaison. The Secretaries of the Department of Health and Human Services

and the Department of Homeland Security each may name one liaison whose role shall be to inform the NEMSAC of ongoing or planned departmental activities related to EMS and to update their respective Departments on NEMSAC activities.

14. Subcommittees. The NHTSA Administrator may create subcommittees or working groups. Subcommittees and working groups will report only to NEMSAC and may not provide advice, recommendations, or work products directly to DOT or FICEMS.

15. Recordkeeping. Records of the Council shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

16. Filing Date. This charter is effective on June 9, 2025 and expires 2 years from that date on June 9, 2027.