



U.S. Department of Justice

Office of Justice Programs

*Bureau of Justice Assistance*

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Washington, D.C. 20531

May 22, 2020

Mr. Aaron Reinert  
President  
American Ambulance Association  
P.O. Box 96503 #72319  
Washington, DC 20090-6503

Mr. Matt Zavadsky  
President  
National Association of Emergency Medical Technicians  
P.O. Box 1400  
Clinton, MS 39060-1400

Dear Mr. Reinert and Mr. Zavadsky:

This responds to your letter to the Attorney General dated April 9, 2020, requesting that paramedics and emergency medical technicians employed by private for-profit agencies be eligible for Public Safety Officers' Benefits (PSOB) Program coverage during the COVID-19 outbreak. Your letter was forwarded to the Office of Justice Programs' Bureau of Justice Assistance (BJA) for response as BJA administers the PSOB Program.

Enacted in 1976, the PSOB Act allows BJA to pay a death benefit to the survivors of public safety officers who have died (or become totally and permanent disabled) as the direct and proximate result of an injury sustained in the line of duty. The Department of Justice recognizes the importance of its responsibility to administer the PSOB Act in accordance with the law, as well as the vital importance of these benefits to families in the aftermath of tragedy.

The Dale Long Public Safety Officers' Benefits Improvement Act of 2012 (Dale Long Act) amended the statutory definitions under the PSOB Act, prescribing coverage for "members of rescue squads and ambulance crews," to include individuals employed by private, *nonprofit* emergency medical services agencies; however, this coverage does not extend to individuals employed by *for-profit* agencies. Under current law, at 34 U.S.C. § 10284(7), rescue squad or ambulance crew member status is limited to officially recognized or designated employee or volunteer members of a rescue squad or ambulance crew that is itself a "public agency"<sup>1</sup> or "is

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<sup>1</sup> Under 34 U.S.C. § 10284(8), "[P]ublic agency" means the United States, any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico . . . or any unit of local government, department, agency, or instrumentality of any of the foregoing."

Mr. Aarron Reinert  
Mr. Matt Zavadsky  
Page 2

(or is a part of) a nonprofit entity serving the public.”<sup>2</sup> As a private for-profit emergency medical services agency does not qualify as a “public agency” nor a “nonprofit entity serving the public” as defined under the PSOB Act, paramedics and emergency medical technicians employed by it are not “public safety officers” for purposes of PSOB eligibility.

Thank you for your letter and for your organizations’ efforts to support paramedics and emergency medical technicians nationwide. While we share your concerns regarding the health and safety of all first responders, current law provides no authority for the Department of Justice to extend coverage beyond the provisions of the PSOB Act.

We hope this information is helpful.

Sincerely,

A handwritten signature in black ink that reads "Michael Costigan". The signature is written in a cursive, slightly slanted style.

Michael Costigan  
Acting Director

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<sup>2</sup> See Pub. L. No. 112-239, § 1086(b)(1)(E)(iv), 126 Stat. 1964, 1967 (2013); see also 34 U.S.C § 10284(9)(D).