

AUG 8 1983

RESOLUTION NO. 83-F/EMS-01

WHEREAS, on March 9, 1981, the Board of County Commissioners of Orange County adopted Ordinance No. 81-4, which ordinance was amended by the Board on August 8, 1983, to provide for the provision of emergency and non-emergency medical and transportation services to the citizens and residents of Orange County; and

WHEREAS, the Board is authorized by said ordinances and Chapter 401, Florida Statutes, to provide for reasonable rules and regulations to carry out the purposes of said ordinances.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

The Board of County Commissioners of Orange County does hereby adopt, as its policy and law in Orange County, those rules and regulations pertaining to emergency medical services and non-emergency medical transportation. A copy of said rules and regulations are attached hereto as Exhibits "A" and "B" and are incorporated herein by reference.

RESOLVED THIS 8th DAY OF August, 1983.

ORANGE COUNTY, FLORIDA

By: Lon Treubay
Chairman, Board of
County Commissioners

ATTEST: THOMAS H. LOCKER
Clerk to Board of County
Commissioners

By: Mary Jo Garrison
Deputy Clerk

EMERGENCY MEDICAL SERVICES
DEPARTMENT RULES & REGULATIONS

82.10 PURPOSE

These rules and regulations are issued under the authority of Orange County Ordinance #81-4, and subsequent amendments to that ordinance, for the purpose of improving the quality of emergency and nonemergency medical care for the citizens and visitors of Orange County when such care is required. Further, it is the purpose of these rules to promote the policy of Orange County to save lives and speed the healing of persons injured in accidents or otherwise in need of emergency and/or nonemergency medical services by providing an emergency care system which will bring the injured or sick under the care of persons properly trained to care for them in the shortest practical time and provide safe transportation for the injured or sick to the most appropriate treatment center.

82.11 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED

(Reserved)

82.12 LEVELS OF SERVICE

Providers of any level of service must comply with Chapter 401, Florida Statutes, Chapter 10D-66 F.A.C., Chapter 10D-79, F.A.C. and any other applicable federal, state or local law or rule or regulation.

(1) Nonemergency medical transportation: (See section 82.50 of these rules).

(2) Basic Life Support Rescue (BLS Rescue): Units classified as Basic Life Support Rescue transport only when a delay may cause the patient's medical condition to deteriorate.

(3) Advance Life Support Rescue (ALS Rescue): Units classified as Advance Life Support Rescue transport only when a delay may cause the patient's medical condition to deteriorate.

(4) Basic Life Support Ambulance (BLS) Ambulance):

(a) Basic Life Support Ambulance services shall maintain 24 hours a day, seven days a week ambulance transportation service.

(b) Shall maintain 24-hour radio dispatch.

(c) Shall have a published emergency phone number that can be reached 24 hours a day with an operator to answer at all times.

(5) Advance Life Support Ambulance (ALS Ambulance):

Advance Life Support Ambulance units must meet the requirements set forth in the Basic Life Support Ambulance section and the requirements for ALS Ambulance established in Chapter 401, Florida Statutes, Chapter 10D-66, F.A.C., and any federal laws which may apply.

82.13 APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY OR CERTIFICATION

(1) Applications for Certificate of Public Convenience and Necessity or for certification by the Medical Director may be obtained from the Department of Emergency Services. Applications should be completed per instruction attached to the application and returned to the Department for disposition.

(2) Investigation of Application:

(a) Inspection of Vehicles - the Department reserves the right to verify and/or inspect any and all nonemergency rescue and ambulance vehicles.

(b) EMT/Paramedic certification will be verified according to EMT/Paramedic section of these rules.

(3) A duplicate copy of a state application for certification may be submitted in lieu of Orange County's application.

82.14 TEMPORARY AUTHORITY

(Reserved)

82.15 RIGHTS AND DUTIES GRANTED BY THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

(1) The Certificate granted by the Board shall be valid for two (2) years unless otherwise stated, revoked, suspended or modified.

(2) The Department requires that current records must be available on the following:

(a) Financial report (private provider).

(b) Other records that may be deemed necessary by the Department.

(3) The certificate holder shall be responsible to notify the Department of any change of address, new employees, or any other information deemed necessary by the Department within thirty (30) days of the change.

(4) All records shall be available for inspection by the Department upon request during normal working hours.

82.16 MODIFICATION AND RENEWAL OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

(1) Any request for a modification of a certificate must be submitted to the Department at least thirty (30) days prior to the proposed change.

(2) Modifications may be accepted by the Department or recommended to the Board.

82.17 RESERVED

82.18 SUSPENSION OF REVOCATION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

(1) Written notices to Certificate holders denoting deficiencies shall contain a time period in which corrections will be made. The time period allowed will depend on the seriousness of the deficiency.

82.19 RESERVED

82.20 MEDICAL DIRECTOR

(1) The Medical Director shall, in addition to the authority and responsibility set forth in Chapter 401, Florida Statutes, Ordinance No. 81-4, and Rules and Regulations of the Department of HRS, or such other agency have regulatory authority over Chapter 401, Florida Statutes, have the authority to require additional continuing education for paramedics and/or emergency medical technicians operating under the supervision and direction

of the Medical Director within Orange County's Emergency Medical Services System.

(2) The Medical Director shall approve the paramedics standing orders (protocol).

(3) The Medical Director shall have a current active Florida medical license.

(4) The Medical Director shall have the authority to appoint assistant medical directors to act under his authority if such assistants have been approved by the Board of County Commissioners.

(5) The Medical Director may suspend any paramedic or EMT from practicing under the Medical Director's supervision as outlined in Ordinance No. 81-4.

82.21 MEDICAL REVIEW BOARD

(1) The Medical Director shall, if requested by the charged individual, refer any complaint against a paramedic or EMT to the Medical Review Board, which shall consist of three (3) members - two (2) physicians who hold active Florida licenses and who have been selected by the Medical Director, and one (1) Orange County certified paramedic or certified EMT. The paramedic or EMT shall be chosen by the paramedic or EMT against whom the complaint has been filed. The paramedic or EMT must submit the name of the paramedic or EMT to the Medical Director no later than two (2) working days prior to the Medical Review Board meeting. If this is not done, the Medical Director will appoint a paramedic or EMT.

(2) Any matter referred to the Medical Review Board shall be reviewed within ten (10) working days (working days are Monday through Friday excluding holidays and Saturdays and Sundays) or as soon thereafter as possible.

(3) The paramedic or EMT will receive written notification of the time and place for the meeting of the Medical Review Board. The paramedic/EMT may appear before the Board.

(4) An extension of time may be requested by the paramedic/EMT. The request for an extension must be made to the Depart-

ment of Emergency Services in writing at least three (3) days prior to the meeting day.

(5) The Medical Review Board shall submit a recommendation in writing to the Medical Director before the end of the next working day following the Board's meeting or as soon thereafter as possible.

The Medical Director shall advise the paramedic/EMT and employing agency in writing of the Medical Director's decision and what action is forthcoming within five (5) days of receipt of the recommendation of the Medical Review Board.

(6) The Medical Director is not bound by the decision of the Medical Review Board.

82.22 PARAMEDIC/EMT

(1) Requirements for a paramedic/EMT in Orange County:

(a) Have a current certification in the State of Florida.

(b) Have a current Orange County certification.

(2) The paramedic/EMT is subject to temporary revocation or suspension of certification when it is found that:

(a) The paramedic/EMT fails to meet the performance standards promulgated by the Medical Director through standing orders (protocols) or other written directions of the Medical Director.

(b) The paramedic/EMT has neglected to renew state or county certificates.

(c) The paramedic/EMT has failed to comply with Ordinance No. 81-4, Chapter 401, Florida Statutes, Chapter 10D-66 or 10D-79, F.A.C., or any other applicable state, local or federal law, rule or regulation.

82.23 MEDICAL RUN RECORDS

(1) Required for each patient.

(2) Designated copy of medical run reports (form 40-1) to be forwarded to the department as required.

RULES & REGULATIONS
NONEMERGENCY MEDICAL TRANSPORTATION

82.50 PURPOSE

These rules are issued pursuant to the provisions of Orange County Ordinance No. 81-4 and the amendments thereto. The purpose of these rules is to establish minimum standards for the transportation of handicapped or otherwise incapacitated persons requiring specialized transportation on a nonemergency basis. These rules must be used in conjunction with Orange County Ordinance No. 81-4 and amendments thereto to determine complete requirements under the law.

82.51 SANITATION AND MAINTENANCE

All nonemergency medical transportation vehicles shall:

(1) Have interior equipment which is smooth and easily cleaned.

(2) Have all electrical systems functioning properly.

(3) Be free of hazards (including but not limited to slippery floors, sharp edges, unpadded interior door head clearances).

(4) Be free of dents and rust, which interfere with the safe operation of the vehicles.

(5) At all times, meet the requirements of Chapter 316, Florida Statutes.

(6) Have all equipment in passenger compartment safely and adequately secured.

(7) Assure that all doors, latches and handles are in proper working order.

82.52 VEHICLE DESIGN

Nonemergency medical transportation vehicles shall be required to adhere to vehicle design criteria as cited in Chapter 316, Florida Statutes.

(1) Nonemergency medical transportation vehicles which are intended to be used for or are used for the transportation of individuals in wheelchairs shall be designed and equipped as follows:

(a) Each vehicle shall have a lift facility which is operated electrically, hydraulically or mechanically, with sufficient capacity to safely and smoothly lift passengers into the vehicle.

(b) Each vehicle shall have, for each passenger transported, two (2) positive means of securely latching or locking to the vehicle the wheelchair in which a passenger will ride. The latching or locking devices shall be designed to prevent any lateral, longitudinal or vertical motion of the passenger conveyance within the vehicle.

(c) Each vehicle shall have, for each passenger transported, restraining belts or straps designed to securely confine passengers to wheelchairs in which they are transported.

(d) Each vehicle shall have, in addition to the rear-vision mirrors required by Chapter 316, Florida Statutes, an inside rear-vision mirror which will enable the driver to view the entire passenger compartment.

(e) Vehicle entry and exit doors shall be equipped with latching devices sufficient to restrain individual passenger conveyances within the passenger compartment of the vehicle. Striker plates will be used in conjunction with latching devices.

(f) Each vehicle must have a smooth floor which has a minimum of voids or pockets at the floor to side wall areas where water or moisture can become trapped.

(g) The floor covering shall be seamless, one piece, permanently applied material and shall extend the full length and width of the patient compartment. Where side panels and covering meet at the joints and side walls, they shall be sealed and bordered with rustproof, corrosion-resistant cove molding.

(h) Each vehicle shall carry in the driver's compartment a 1A-10B:C fire extinguisher as a minimum.

(i) The patient compartment shall provide a minimum of 50 inches height, measured from the finished floor to the finished ceiling.

(j) Each vehicle shall have an operable two-way communication capability with the service's base station.

(2) Nonemergency medical transportation vehicles which are intended to be used for or are used for the transportation of persons on a stretcher shall be designed and equipped as follows:

(a) Each vehicle shall have a crashstable side or center mounting style litter fastener of the quick release type.

(b) At least two (2) strap type restraining devices shall be provided per stretcher, cot and litter to prevent longitudinal or transverse dislodgement of the patient during transit.

(c) Each vehicle shall have, in addition to the rear-vision mirror required by Chapter 316, F.S., an inside rear-vision mirror or an acceptable alternative, as approved by the Department, which at a minimum, will insure the ability to observe and monitor the passenger and patient compartment.

(d) Vehicle entry and exit doors shall be equipped with latching devices sufficient to restrain individual passenger conveyances within the passenger compartment of the vehicle. Striker plates will be used in conjunction with latching devices.

(e) Each vehicle must have a smooth floor which has a minimum of voids or pockets at the floor to side wall areas where water or moisture can become trapped.

(f) The floor covering shall be of material which can be maintained in a safe, sanitary, and odor free manner and shall extend the full length and width of the patient compartment.

(g) Each vehicle shall carry, in an easily accessible location, a 1A:10B:C fire extinguisher as a minimum.

(h) The patient compartment shall provide a minimum of 50 inches height measured from the finished floor to the finished ceiling.

(j) Each vehicle shall have an operable two-way radio communications capability with the services base station.

82.53 RECORDS

Licensees providing nonemergency medical transportation services shall maintain records in accordance with Ordinance No. 81-4 and amendments thereto and shall maintain the following information:

(1) Current personnel records of each employee which shall indicate date of employment and qualifications held by each employee.

(2) Vehicle record on each nonemergency medical transportation vehicle operated and vehicle registration record and records of safety inspection.

(3) Each service shall keep a trip report upon which shall be recorded the time, place and origin, name of passenger and destination. Each licensee shall retain and preserve all daily trip records for no less than three (3) years. Such records shall be available for inspection by the department, upon request, during normal working hours.

All records shall be indexed and filed for ready access.

82.54 FEES

Each applicant for nonemergency medical transportation license shall pay to the department the following fees:

(1) Nonemergency medical transportation service license: \$200.00, to be paid with the application.

(2) Nonemergency medical transportation vehicle permit or renewal permit: permits for up to three (3) vehicles are included in the licensure fee set forth above. For each additional vehicle permit, an additional \$20.00 fee will be charged.

82.55 ADVERTISING

All advertising or other solicitation for business by a nonemergency medical transportation service shall emphasize in a conspicuous manner that the service does not provide medical

attention, and the service provided is designed for those persons whose physical impairments render it impractical to use regular, common carrier or taxi services. The term "ambulance" shall not be used to identify any nonemergency medical transportation vehicle or service or be used in any service advertisement.

82.56 STAFFING AND CERTIFICATION REQUIREMENTS

Each licensed nonemergency medical transportation service utilizing permitted vehicles must insure that each person it employs is trained, qualified and certified to perform the duties required.

(1) Each nonemergency medical transport wheelchair unit:

(a) Shall be staffed by sufficient personnel to insure safe loading and unloading of nonemergency wheelchair patients.

(b) Shall meet minimum staff requirements as set forth in Section 401.255, Florida Statutes.

(c) Shall have drivers who meet the requirements established in Section 401.281, Florida Statutes and such other requirements of the Emergency Services Department.

(2) Each permitted nonemergency vehicle when transporting a person who is incapacitated or helpless and is confined to a stretcher or is required to be in a prone position during transportation shall have a minimum of two (2) people to insure the safe loading of the patient(s).

82.57 INSURANCE

(1) To the fullest extent permitted by law, each provider of nonemergency medical transportation services will indemnify and hold harmless Orange County from and against all claims, damages, losses and expenses, including reasonable attorney's fees, arising out of or resulting from the performance of their operations in providing nonemergency medical transportation services.

(2) The provider will obtain or possess the following insurance coverage and will provide certificates of insurance to the County prior to commencing their operations. The insurance

coverage shall contain a provision which forbids any changes or material alterations in the coverage without providing thirty (30) days prior written notice to the County.

(3) The provider of nonemergency medical transportation services shall:

(a) Provide coverage for all operations including, but not limited to, contractual, products and completed operations, and personal injury. The limits will be not less than \$500,000.00 combined single limit (CSL) or its equivalent.

(b) Provide coverage for all owned and non-owned vehicles for limits of not less than \$500,000.00 combined single limit (CSL) or its equivalent.

(c) Provide workers' compensation coverage for all employees. The limits will be statutory for workers' compensation and \$100,000.00 for employer's liability.

(4) The Board may require additional insurance for any vehicle or provider of nonemergency medical transportation services.

82.58 NONEMERGENCY LICENSES

Investigations for licensure and the issuance of licenses to nonemergency providers shall be handled in the same manner as a Certificate of Public Convenience and Necessity per Orange County Ordinance 81-4 as amended, and the Rules and Regulations pertaining to the investigation and issuance of Certificates of Public Convenience and Necessity.