

HB 589

2011

1 A bill to be entitled
2 An act relating to emergency medical services; amending s.
3 401.25, F.S.; providing requirements for an applicant for
4 advanced life support nontransportation licensure;
5 permitting municipal, independent special district, and
6 community development district fire departments to provide
7 certain life support services; authorizing a county
8 governing body to adopt ordinances establishing standards
9 for issuing a certificate of public convenience and
10 necessity; providing conditions for the issuance of a
11 temporary certificate of public convenience and necessity;
12 providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 401.25, Florida Statutes, is amended to
17 read:

18 401.25 Licensure as a basic life support or an advanced
19 life support service.—

20 (1) Every person, firm, corporation, association, or
21 governmental entity owning or acting as agent for the owner of
22 any business or service which furnishes, operates, conducts,
23 maintains, advertises, engages in, proposes to engage in, or
24 professes to engage in the business or service of providing
25 prehospital or interfacility advanced life support services or
26 basic life support transportation services must be licensed as a
27 basic life support service or an advanced life support service,
28 whichever is applicable, before offering such service to the

HB 589

2011

29 public. The application for such license must be submitted to
30 the department on forms provided for this purpose. The
31 application must include documentation that the applicant meets
32 the appropriate requirements for a basic life support service or
33 an advanced life support service, whichever is applicable, as
34 specified by rule of the department.

35 (2) The department shall issue a license for operation to
36 any applicant who complies with the following requirements:

37 (a) The applicant has paid the fees required by s. 401.34.

38 (b) The ambulances, equipment, vehicles, personnel,
39 communications systems, staffing patterns, and services of the
40 applicant meet the requirements of this part, including the
41 appropriate rules for either a basic life support service or an
42 advanced life support service, whichever is applicable.

43 (c) The applicant has furnished evidence of adequate
44 insurance coverage for claims arising out of injury to or death
45 of persons and damage to the property of others resulting from
46 any cause for which the owner of such business or service would
47 be liable. The applicant must provide insurance in such sums and
48 under such terms as required by the department. In lieu of such
49 insurance, the applicant may furnish a certificate of self-
50 insurance evidencing that the applicant has established an
51 adequate self-insurance plan to cover such risks and that the
52 plan has been approved by the Office of Insurance Regulation of
53 the Financial Services Commission.

54 (d) The applicant for basic or advanced life support
55 transportation services has obtained a certificate of public
56 convenience and necessity from each county in which the

HB 589

2011

57 applicant will operate. In issuing the certificate of public
58 convenience and necessity, the governing body of each county
59 shall consider the recommendations of municipalities within its
60 jurisdiction.

61 (e) The applicant for advanced life support
62 nontransportation services has obtained a certificate of public
63 convenience and necessity from each county in which the
64 applicant will operate. In issuing the certificate of public
65 convenience and necessity, the governing body of each county may
66 not prohibit a municipal, independent special district, or
67 community development district fire department from providing
68 services within its jurisdiction.

69 (3) The department may suspend or revoke a license at any
70 time if it determines that the licensee has failed to maintain
71 compliance with the requirements prescribed for operating a
72 basic or advanced life support service.

73 (4) A ~~Each~~ license issued under ~~in accordance with this~~
74 ~~part expires will expire automatically~~ 2 years after the date of
75 issuance.

76 (5) The requirements for renewal of any license issued
77 under this part are the same as the requirements for original
78 licensure that are in effect at the time of renewal.

79 (6) The governing body of each county may adopt ordinances
80 that provide reasonable standards for certificates of public
81 convenience and necessity for basic or advanced life support
82 transportation services and air ambulance services. In
83 developing standards for certificates of public convenience and
84 necessity, the governing body of each county must consider state

HB 589

2011

85 guidelines, recommendations of the local or regional trauma
86 agency created under chapter 395, and the recommendations of
87 municipalities within its jurisdiction.

88 (7) The governing body of each county may adopt ordinances
89 that provide reasonable standards for certificates of public
90 convenience and necessity for advanced life support
91 nontransportation services. The governing body of each county
92 may not prohibit a municipal, independent special district, or
93 community development district fire department within its
94 jurisdiction from receiving a certificate of public convenience
95 and necessity if the fire department meets or exceeds
96 requirements mandated by state law.

97 (8) The governing body of each county shall issue a
98 certificate of public convenience and necessity for advanced
99 life support nontransportation services to any municipal,
100 independent special district, or community development district
101 fire department within its jurisdiction within a reasonable
102 period of time after receiving the applicant's request. If the
103 county issues certificates of public convenience and necessity
104 only on an annual or biannual basis, a temporary certificate of
105 public convenience and necessity shall be issued until the
106 applicant can participate according to the established schedule.

107 (9)-(7)(a) Each permitted basic life support ambulance not
108 specifically exempted from this part, when transporting a person
109 who is sick, injured, wounded, incapacitated, or helpless, must
110 be occupied by at least two persons: one patient attendant who
111 is a certified emergency medical technician, certified
112 paramedic, or licensed physician; and one ambulance driver who

HB 589

2011

113 | meets the requirements of s. 401.281. This paragraph does not
114 | apply to interfacility transfers governed by s. 401.252(1).

115 | (b) Each permitted advanced life support ambulance not
116 | specifically exempted from this part, when transporting a person
117 | who is sick, injured, wounded, incapacitated, or helpless, must
118 | be occupied by at least two persons: one who is a certified
119 | paramedic or licensed physician; and one who is a certified
120 | emergency medical technician, certified paramedic, or licensed
121 | physician who also meets the requirements of s. 401.281 for
122 | drivers. The person with the highest medical certifications
123 | shall be in charge of patient care. This paragraph does not
124 | apply to interfacility transfers governed by s. 401.252(1).

125 | Section 2. This act shall take effect July 1, 2011.