

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Local Government Affairs  
 2 Subcommittee

3 Representative Renner offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
 7 Section 1. Section 401.25, Florida Statutes, is amended to  
 8 read:

9 401.25 Licensure as a basic life support or an advanced  
 10 life support service; air ambulance services.—

11 (1) Every person, firm, corporation, association, or  
 12 governmental entity owning or acting as agent for the owner of  
 13 any business or service which furnishes, operates, conducts,  
 14 maintains, advertises, engages in, proposes to engage in, or  
 15 professes to engage in the business or service of providing  
 16 prehospital or interfacility advanced life support services or  
 17 basic life support transportation services must be licensed as a

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18 basic life support service or an advanced life support service,  
19 whichever is applicable, before offering such service to the  
20 public. The application for such license must be submitted to  
21 the department on forms provided for this purpose. The  
22 application must include documentation that the applicant meets  
23 the appropriate requirements for a basic life support service or  
24 an advanced life support service, whichever is applicable, as  
25 specified by rule of the department.

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

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

29 (b) The ambulances, equipment, vehicles, personnel,  
30 communications systems, staffing patterns, and services of the  
31 applicant meet the requirements of this part, including the  
32 appropriate rules for either a basic life support service or an  
33 advanced life support service, whichever is applicable.

34 (c) The applicant has furnished evidence of adequate  
35 insurance coverage for claims arising out of injury to or death  
36 of persons and damage to the property of others resulting from  
37 any cause for which the owner of such business or service would  
38 be liable. The applicant must provide insurance in such sums and  
39 under such terms as required by the department. In lieu of such  
40 insurance, the applicant may furnish a certificate of self-  
41 insurance evidencing that the applicant has established an  
42 adequate self-insurance plan to cover such risks and that the

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43 plan has been approved by the Office of Insurance Regulation of  
44 the Financial Services Commission.

45 (d) The applicant has obtained a certificate of public  
46 convenience and necessity from each county in which the  
47 applicant will operate. In issuing the certificate of public  
48 convenience and necessity, the governing body of each county  
49 shall consider the recommendations of municipalities within its  
50 jurisdiction.

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

55 (4) Each license issued in accordance with this part will  
56 expire automatically 2 years after the date of issuance.

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

60 (6) (a) By January 1, 2017, the governing body of each  
61 county that is not a fiscally constrained county as defined by  
62 s. 218.67(1) shall may adopt an ordinance or amend an existing  
63 ordinance to ordinances that provide reasonable, objective  
64 standards for certificates of public convenience and necessity  
65 for basic or advanced life support services ~~and air ambulance~~  
66 ~~services~~. In developing the standards ~~for certificates of public~~  
67 ~~convenience and necessity~~, the governing body of each county  
68 must consider state guidelines, recommendations of the local or

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69 regional trauma agency created under chapter 395, ~~and the~~  
70 recommendations of the municipalities within its jurisdiction,  
71 and recommendations of the independent special districts that  
72 provide fire rescue services within its jurisdiction. The  
73 ordinance shall provide a quasi-judicial process, or some other  
74 type of evidentiary process, for approval or denial of an  
75 application for a certificate. The ordinance shall also provide  
76 that applicants maintaining fire rescue infrastructure and  
77 providing first response in the county as of January 1, 2016,  
78 may appeal the county's decision to the circuit court with  
79 jurisdiction over the county. A county that, as of January 1,  
80 2016, has adopted an ordinance that complies with this  
81 subsection is not required to further amend the ordinance.

82 (b) The governing body of a county defined as fiscally  
83 constrained pursuant to s. 218.67(1) may adopt an ordinance to  
84 provide reasonable, objective standards for certificates of  
85 public convenience and necessity for basic or advanced life  
86 support services. In developing the standards, the governing  
87 body of each county must consider state guidelines,  
88 recommendations of the local or regional trauma agency created  
89 under chapter 395, recommendations of the municipalities within  
90 its jurisdiction, and recommendations of the independent special  
91 districts that provide fire rescue services within its  
92 jurisdiction.

93 (c) The governing body of each county may adopt an  
94 ordinance to provide reasonable, objective standards for

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95 certificates of public convenience and necessity for air  
96 ambulance services. In developing the standards, the governing  
97 body of each county must consider state guidelines,  
98 recommendations of the local or regional trauma agency created  
99 under chapter 395, recommendations of the municipalities within  
100 its jurisdiction, and recommendations of the independent special  
101 districts that provide fire rescue services within its  
102 jurisdiction.

103 (7) (a) Each permitted basic life support ambulance not  
104 specifically exempted from this part, when transporting a person  
105 who is sick, injured, wounded, incapacitated, or helpless, must  
106 be occupied by at least two persons: one patient attendant who  
107 is a certified emergency medical technician, certified  
108 paramedic, or licensed physician; and one ambulance driver who  
109 meets the requirements of s. 401.281. This paragraph does not  
110 apply to interfacility transfers governed by s. 401.252(1).

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

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121 Section 2. This act shall take effect July 1, 2016.

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123

124 **T I T L E A M E N D M E N T**

125 Remove everything before the enacting clause and insert:

126 A bill to be entitled

127 An act relating to certificates of public convenience  
128 and necessity for life support or air ambulance  
129 services; amending s. 401.25, F.S.; requiring, rather  
130 than authorizing, county governing boards to adopt  
131 ordinances or amend existing ordinances that provide  
132 standards for the issuance of certificates of public  
133 convenience and necessity for basic or advanced life  
134 support services; including the recommendations of  
135 specified districts in the development of such  
136 standards; requiring counties to adopt a process for  
137 review of applications; providing an appeal process;  
138 authorizing county governing boards to adopt  
139 ordinances that provide standards for the issuance of  
140 certificates of public convenience and necessity for  
141 air ambulance services; specifying considerations for  
142 such standards; providing an effective date.