



832144

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2016	.	
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The Committee on Community Affairs (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

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

(1) Every person, firm, corporation, association, or
governmental entity owning or acting as agent for the owner of



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11 any business or service which furnishes, operates, conducts,
12 maintains, advertises, engages in, proposes to engage in, or
13 professes to engage in the business or service of providing
14 prehospital or interfacility advanced life support services or
15 basic life support transportation services must be licensed as a
16 basic life support service or an advanced life support service,
17 whichever is applicable, before offering such service to the
18 public. The application for such license must be submitted to
19 the department on forms provided for this purpose. The
20 application must include documentation that the applicant meets
21 the appropriate requirements for a basic life support service or
22 an advanced life support service, whichever is applicable, as
23 specified by rule of the department.

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

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

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

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



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40 adequate self-insurance plan to cover such risks and that the
41 plan has been approved by the Office of Insurance Regulation of
42 the Financial Services Commission.

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

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

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

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

58 (6) (a) By January 1, 2017, the governing body of each
59 county shall may adopt an ordinance or amend an existing
60 ordinance to ordinances that provide reasonable, objective
61 standards for certificates of public convenience and necessity
62 for basic or advanced life support services and air ambulance
63 services. In developing the standards for certificates of public
64 convenience and necessity, the governing body of each county
65 must consider state guidelines, recommendations of the local or
66 regional trauma agency created under chapter 395, and the
67 recommendations of the municipalities within its jurisdiction,
68 and recommendations of the independent special districts that



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

79 (b) The governing body of each county may adopt an
80 ordinance to provide reasonable, objective standards for
81 certificates of public convenience and necessity for air
82 ambulance services. In developing the standards, the governing
83 body of each county must consider state guidelines,
84 recommendations of the local or regional trauma agency created
85 under chapter 395, recommendations of the municipalities within
86 its jurisdiction, and recommendations of the independent special
87 districts that provide fire rescue services within its
88 jurisdiction.

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

97 (b) Each permitted advanced life support ambulance not



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98 specifically exempted from this part, when transporting a person
99 who is sick, injured, wounded, incapacitated, or helpless, must
100 be occupied by at least two persons: one who is a certified
101 paramedic or licensed physician; and one who is a certified
102 emergency medical technician, certified paramedic, or licensed
103 physician who also meets the requirements of s. 401.281 for
104 drivers. The person with the highest medical certifications
105 shall be in charge of patient care. This paragraph does not
106 apply to interfacility transfers governed by s. 401.252(1).

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

108
109 ===== T I T L E A M E N D M E N T =====

110 And the title is amended as follows:

111 Delete everything before the enacting clause
112 and insert:

113 A bill to be entitled

114 An act relating to certificates of public convenience
115 and necessity for life support or air ambulance
116 services; amending s. 401.25, F.S.; requiring, rather
117 than authorizing, county governing boards to adopt
118 ordinances or amend existing ordinances that provide
119 standards for the issuance of certificates of public
120 convenience and necessity for basic or advanced life
121 support services; including the recommendations of
122 specified districts in the development of such
123 standards; requiring counties to adopt a process for
124 review of applications; providing an appeal process;
125 authorizing county governing boards to adopt
126 ordinances that provide standards for the issuance of



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127 certificates of public convenience and necessity for
128 air ambulance services; specifying considerations for
129 such standards; providing an effective date.