

By Senator Rodriguez

39-00612A-22

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1 A bill to be entitled
2 An act relating to certificates of public convenience
3 and necessity; amending s. 401.25, F.S.; requiring
4 certain counties to issue a certificate of public
5 convenience and necessity to applicants seeking
6 licensure for basic or advanced life support services
7 which meet specified criteria; providing an exception;
8 providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Paragraph (d) of subsection (2) of section
13 401.25, Florida Statutes, is amended to read:

14 401.25 Licensure as a basic life support or an advanced
15 life support service.—

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

18 (d) The applicant has obtained a certificate of public
19 convenience and necessity from each county in which the
20 applicant will operate. In issuing the certificate of public
21 convenience and necessity, the governing body of each county
22 shall consider the recommendations of municipalities within its
23 jurisdiction.

24 1. An applicant that is an active first responder agency is
25 exempt from this requirement if it:

26 a.1. Is a faith-based, not-for-profit charitable
27 corporation registered under chapter 617 which has been
28 responding to medical emergencies in this state for at least 10
29 consecutive years.

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30 b.2. Is not a parent, subsidiary, or affiliate of, or
31 related to, any for-profit entity.

32 c.3. Provides basic life support services or advanced life
33 support services solely through at least 50 unpaid licensed
34 emergency medical technician or paramedic volunteers.

35 d.4. Is not operating for pecuniary profit or financial
36 gain.

37 e.5. Does not distribute to or inure to the benefit of its
38 directors, members, or officers any part of its assets or
39 income.

40 f.6. Does not receive any government funding. However, the
41 volunteer ambulance service may receive funding from specialty
42 license plate proceeds.

43 g.7. Has never had a license denied, revoked, or suspended.

44 h.8. Provides services free of charge.

45 i.9. As part of its application for licensure, provides to
46 the department a management plan that includes a training
47 program, dispatch protocols, a complaint management system, an
48 accident or injury handling system, a quality assurance program,
49 and proof of adequate insurance coverage to meet state or county
50 insurance requirements, whichever requirements are greater.

51 j.10. Provides a disclaimer on all written materials that
52 the volunteer ambulance service is not associated with the
53 state's 911 system.

54
55 The exemption under this subparagraph ~~paragraph~~ may be granted
56 to no more than four counties. This exemption notwithstanding,
57 an applicant is not exempted from and must comply with all other
58 requirements for licensure. An applicant must also take all

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59 reasonable efforts to enter into a memorandum of understanding
60 with the emergency medical services licensee within whose
61 jurisdiction the applicant will provide services in order to
62 facilitate communications and coordinate emergency services for
63 situations beyond the scope of the applicant's capacity and for
64 situations of advanced life support which ~~that~~ are deemed
65 priority 1 or priority 2 emergencies.

66 2. A county that has a population exceeding 1 million must
67 issue a certificate of public convenience and necessity to any
68 applicant if the applicant has been operating in this state for
69 10 years and has a certificate of public convenience and
70 necessity from at least three other counties in this state. This
71 subparagraph does not apply to a county operating under a home
72 rule charter adopted pursuant to s. 10, s. 11, or s. 24, Art.
73 VIII of the State Constitution of 1885, as preserved by
74 paragraph 6(e), Art. VIII of the State Constitution of 1968.

75 Section 2. This act shall take effect July 1, 2022.