

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 1487](#)

TITLE: Emergency Services

SPONSOR(S): Basabe

COMPANION BILL: [CS/SB 1644](#) (Rodriguez)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Health Professions & Programs](#)

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SUMMARY

Effect of the Bill:

The bill revises the criteria required for a faith-based, nonprofit, volunteer ambulance service to obtain an exemption from the certificate of public necessity (COPCN) requirement, by increasing the minimum requirements for:

- Experience in responding to medical emergencies in Florida from 10 to 15 consecutive years; and
- Licensed volunteer emergency medical technicians and paramedics from 50 to 150, and require these volunteers to be operating in at least three counties.

The bill also expands the number of counties where an exemption can be granted, from 4 counties to 15 counties.

The bill requires an applicant for exemption to submit an affidavit attesting that they meet the requirements for exemption to the Department of Health, and provides criminal penalties for submitting a fraudulent affidavit.

The bill allows a volunteer ambulance service that receives government funding to qualify for an exemption from the COPCN requirement. The bill prohibits an ambulance service who has obtained an exemption from receiving funds from any grant program designed exclusively for publicly operated fire departments or emergency medical service agencies.

Fiscal or Economic Impact:

None

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

[Emergency Medical Transport Services](#)

The Department of Health (DOH) regulates basic life support (BLS) and advanced life support (ALS) transport services under part III of ch. 401, F.S. To obtain a transport vehicle permit to provide BLS or ALS services, an applicant must, among other things, possess a certificate of public convenience and necessity (COPCN), or qualify for an exemption from the COPCN requirement.

Current law exempts faith-based, nonprofit, volunteer ambulance services from the COPCN requirement if the ambulance service meets certain criteria.

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[Certificate of Public Convenience and Necessity](#)

The bill revises the criteria required to exempt a faith-based, nonprofit, volunteer ambulance service from the certificate of public necessity (COPCN) requirement. Specifically, the bill requires such volunteer ambulance services to: (Section [2](#))

- Have a history of responding to medical emergencies in Florida for at least 15 consecutive years, instead of 10 consecutive years; and
- Provide basic life support (BLS) services or advanced life support (ALS) services through at least 150, instead of 50, volunteer licensed emergency medical technicians (EMTs) or paramedics providing services in at least three counties at the time of application — current law does not require the services to be provided in a certain number of counties.

The bill removes the prohibition against an ambulance services who obtains an exemption from the COPCN requirement from receiving government funding. This allows a volunteer ambulance service that has obtained an exemption to apply for and receive government funding. However, the bill expressly prohibits an ambulance service that has obtained an exemption from applying for or receiving funds from any grant program designed exclusively for publicly operated fire departments or emergency medical service agencies. (Section [2](#))

The bill also authorizes exemptions from the COPCN requirement to be granted in up to 15 counties. Under current law, exemptions may be granted to no more than four counties. (Section [2](#))

The bill requires an applicant for exemption from the COPCN requirement to submit to the Department of Health (DOH), a sworn affidavit attesting that the applicant meets the requirements for exemption. Under the bill, a person who submits an affidavit fraudulently attesting to the requirements for exemption, is considered to have committed a first-degree misdemeanor for perjury, punishable by up to one year in prison or \$1,000 in fines. (Section [2](#))

[Emergency Vehicles](#)

Under current law, physicians and technicians of medical facilities, or of volunteer ambulance services, are authorized to use red emergency lights, in their personal vehicles, while responding to emergencies in the line of duty. A volunteer firefighter is allowed to use red and white emergency lights in their personal vehicle, while responding to an emergency in the line of duty.

Certain conditions and restrictions apply to the use of red or red and white lights by authorized individuals in their personal vehicles, including, a limit of no more than two red, or red and white, emergency lights may be displayed.

The bill removes the restriction of no more than two red, or red and white emergency lights. As a result, a technician of a volunteer ambulance service, and a physician or technician of a medical facility will be able to use an unlimited amount of *red emergency lights* in their personal vehicle, and a firefighter will be able to use an unlimited amount of *red and white emergency lights* in their personal vehicle, while responding to an emergency in the line of duty. (Section [1](#))

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Emergency Medical Transport Services](#)

Prehospital life support transport services fall into two general categories: BLS and ALS.

BLS services use only basic life support techniques.¹ BLS services include the assessment or treatment by a person qualified under part III of ch. 401, F.S., through the use of techniques described in the EMT-Basic National Standard Curriculum or the National Emergency Medical Services (EMS) Education Standards of the U.S. Department of Transportation.² The term includes the administration of oxygen and other techniques that have been approved and are performed under specific conditions.³ BLS services are usually performed by emergency medical technicians⁴ (EMTs).⁵

ALS services include patient assessment or treatment including the implementation of advanced medical skills such as endotracheal intubation, the administration of drugs or intravenous fluids, telemetry, cardiac monitoring, cardiac defibrillation, and other techniques described in the EMT-Paramedic National Standard Curriculum or the National EMS Education Standards.⁶ ALS services can be performed on site and are usually provided by physicians or paramedics^{7,8}

DOH regulates BLS and ALS transport services under part III of ch. 401, F.S. To obtain a transport vehicle permit to provide BLS or ALS services, an applicant must submit an application and fees to DOH, and provide documentation that the vehicle meets the following:⁹

- Is furnished with essential medical supplies and equipment which is in good working order;
- Meets appropriate standards for design and construction;
- Is equipped with an appropriate communication system;
- Meets appropriate safety standards;
- Meets sanitation and maintenance standards; and
- Is insured for a minimum of \$100,000/\$300,000 against injuries to or the death of any person arising out of an accident.

Applicants must also possess a COPCN issued by a local government.

[Certificate of Public Convenience and Necessity](#)

A COPCN is a written statement, issued by the governing board of a county, granting permission for an emergency medical service provider to provide authorized services for the benefit of the population of that county or the benefit of the population of some geographic area of that county.¹⁰ At the time of licensure, each provider of life

¹ S. [401.23\(8\), F.S.](#)

² United States Department of Transportation, National Highway Traffic Safety Administration, *National Emergency Medical Services Education Standards*, (January 2009), available at <https://www.ems.gov/pdf/National-EMS-Education-Standards-FINAL-Jan-2009.pdf> (last visited April 1, 2025).

³ S. [401.23\(8\), F.S.](#)

⁴ Ss. 401.23(12) and [401.27, F.S.](#) EMTs are licensed by DOH.

⁵ Ryyanen, et. al, *Is advanced life support better than basic life support in prehospital care? A systematic review*, Scand J Trauma Resusc. Emerg. Med. 2010; 18: 62, (November 23, 2010), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3001418/> (last visited April 1, 2025).

⁶ S. 401.23(2) and (3), F.S.

⁷ Ss. 401.23(18) and [401.27, F.S.](#) Paramedics are licensed by DOH.

⁸ Ryyanen, et. al, *supra* note 5.

⁹ S. [401.26\(2\), F.S.](#), and rules 64J-1.002 and 64J-1.003, F.A.C.

¹⁰ Rule 64J-1.001(2), F.A.C.

support transportation services must have a COPCN from each county in which the provider intends to operate.¹¹ Counties are authorized, but not required, to adopt ordinances establishing standards for issuing a COPCN.¹²

Current law exempts faith-based, nonprofit, volunteer ambulance services¹³ from the COPCN requirement if the ambulance service:¹⁴

- Has been operating in this state for at least 10 consecutive years;
- Is not a parent, subsidiary, or affiliate of, or related to any for-profit entity;
- Provides BLS or ALS services through at least 50 volunteer-licensed EMTs or paramedics;
- Does not operate for pecuniary profit or financial gain, and does not distribute to or inure to the benefit of its directors, members, or officers any part of its assets or income;
- Receives no government funds other than proceeds from specialty license plates;
- Has never had a license denied, revoked or suspended;
- Provides services free of charge;
- Provides a management plan to DOH that includes a training program, dispatch protocols, complaint management system, accident or injury handling system, quality assurance program, and proof of adequate insurance requirements; and
- Provides a disclaimer on all written materials of the volunteer ambulance service that it is not associated with the state 911 system.

A county or municipality is prohibited from adopting certain ordinances on a faith-based, volunteer ambulance service who obtains exempt status from the COPCN requirement by satisfying all of the above requirements. Specifically, a county or municipality may not:¹⁵

- Limit, prohibit, or prevent a volunteer ambulance service from responding to an emergency or providing emergency medical services or transport within their jurisdiction;
- Requiring a volunteer ambulance service to obtain a license or certificate or pay a fee to provide ambulance or nonemergency air ambulance services within its jurisdiction.

However, a volunteer ambulance service must make all reasonable efforts to enter into a memorandum of understanding with the emergency medical services licensee within whose jurisdiction the applicant will provide services to facilitate communication and coordinate emergency services for situations beyond the scope of the applicant's capacity and for situations of advanced life support.¹⁶

In the event that a county, municipal or special district operated emergency medical services provider, or fire rescue service, arrive at an emergency scene at the same time as a volunteer ambulance service, and the patient is incapacitated and without a representative to authorize consent for medical treatment, the locally operated fire rescue service is responsible for treating and transporting the patient.¹⁷

An exemption from the COPCN requirement may be granted to no more than four counties.¹⁸

Florida appears to have at least two faith-based, nonprofit, volunteer ambulance services that are licensed and operating under the exemption.¹⁹ Hatzalah South Florida Emergency Medical Services appears to be operating in

¹¹ S. [401.25\(2\)\(d\), F.S.](#)

¹² S. [401.25\(6\), F.S.](#)

¹³ Ss. 316.003(111) and [401.23\(23\), F.S.](#) A "volunteer ambulance service" is a faith-based, not-for-profit charitable corporation, licensed as a basic life support service or an advanced life support service; which is not a parent, subsidiary, or affiliate of, or related to, any for-profit entity; and which uses only unpaid volunteers to provide basic life support services or advanced life support services free of charge, is not operating for pecuniary profit or financial gain, and does not distribute to or inure to the benefit of its directors, volunteers, members, or officers any part of its assets or income.

¹⁴ S. [401.25\(2\)\(d\), F.S.](#)

¹⁵ S. [401.25\(6\)\(b\), F.S.](#)

¹⁶ S. [401.25\(2\)\(d\), F.S.](#)

¹⁷ S. [401.25\(6\)\(b\), F.S.](#)

¹⁸ *Id.*

three counties, Miami-Dade, Broward, and Palm Beach, while the Jewish Volunteer Ambulance Corps appears to be operating in Palm Beach County.²⁰

[Emergency Vehicles](#)

The Florida Uniform Traffic Control Law²¹ provides uniform traffic laws and ordinances applicable throughout the state. The law requires providers of BLS and ALS services to document that each of its drivers has completed an emergency vehicle operator's course approved by DOH.²²

The law also permits the drivers of certain authorized emergency vehicles to disregard specified traffic laws and ordinances and use emergency lights and sirens while responding to an emergency.²³ The authorized emergency vehicles include vehicles of a fire department, police department, and ambulance and emergency vehicles of:²⁴

- Volunteer ambulance services;
- Municipal and county departments;
- Public service corporations operated by private corporations;
- The Fish and Wildlife Conservation Commission;
- The Department of Agriculture and Consumer Services;
- The Department of Environmental Protection;
- The Department of Health;
- The Department of Transportation; and
- The Department of Corrections.

Red, or red and white lights may be shown or displayed by vehicles of the fire department and fire patrol, and by a privately owned vehicle belonging to a member of a regularly organized volunteer firefighting company or association, while on their way to the scene of a fire or other emergency in the line of duty.²⁵

Red lights may be shown or displayed by privately owned vehicles of volunteer ambulance services, medical staff physicians, and technicians of medical facilities licensed by the state while responding to an emergency in the line of duty.²⁶

Certain conditions and restrictions apply to the use of red, or red and white lights, by authorized individuals in their personal vehicles, including:²⁷

- No more than two red, or red and white warning signals may be displayed;
- No inscription of any kind may appear across the face of the lens;
- A volunteer firefighter must secure a written permit from the chief executive officers of the firefighting organization to use red or red and white lights;

¹⁹ Hatzalah South Florida Emergency Medical Services, Inc., Lic. #10036; Hatzolah Air, Lic. #9524; and Jewish Volunteer Ambulance Corps, Lic. #10040, *see* Florida Department of Health, *Florida Licensed EMS Provider Report* (Mar. 19, 2025), available at <https://www.floridahealth.gov/licensing-and-regulation/ems-service-provider-regulation-and-compliance/documents/FloridaLicensedEMSProviderReport.pdf> (last visited April 2, 2025). *See also*: Hatzalah South Florida Emergency Medical Services, available at <https://hsfems.org/> (last visited April 2, 2025); Jewish Volunteer Ambulance Corps, available at <https://jvacusa.org/> (last visited April 2, 2025); and Hatzolah Air Aviation Rescue, available at <https://hatzolahair.org/> (last visited April 2, 2025).

²⁰ *See* Jewish Volunteer Ambulance Corps FAQ, available at <https://jvacusa.org/faq/> (last visited April 2, 2025) and Hatzalah South Florida Emergency Medical Services Inc. Coverage Area, available at <https://hsfems.org/#:~:text=Our%20coverage%20area%20currently%20includes,Palm%20Beach%20County%20since%202022> (last visited April 2, 2025).

²¹ *See* ch. 316, F.S.

²² S. [401.281\(1\)\(e\), F.S.](#)

²³ S. [316.072\(5\), F.S.](#)

²⁴ S. [316.003\(1\), F.S.](#)

²⁵ S. [316.2398\(1\), F.S.](#)

²⁶ *Id.*

²⁷ *Id.*

- An EMT, doctor, or paramedic, who is using his or her personal vehicle with a red light to respond to an emergency call, must complete a 16-hour emergency operator course.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Health Professions & Programs Subcommittee	14 Y, 0 N, As CS	4/3/2025	McElroy	Guzzo

THE CHANGES ADOPTED BY THE COMMITTEE: [Click or tap here to enter text.](#)

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
