

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

ORDINANCE NO. 2687

AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 9 OF THE LAKE COUNTY CODE PERTAINING TO
PERMITTING AND OPERATION OF MEDICAL TRANSPORTATION SERVICES

THIS BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDINANCE READS AS FOLLOWS:

Section 1: Article IX of Chapter 9 of the Lake County Code is hereby amended to read as follows:

“ARTICLE IX. PERMITTING AND OPERATION OF MEDICAL TRANSPORTATION SERVICES

Sec. 9-80 Purpose and Intent.

80.1 Title. This article shall be known as the Medical Transportation Service Permitting and Operation Ordinance of Lake County.

80.2 Purpose. This article aims to provide for the public health, safety, and welfare in the use of all emergency and non-emergency medical transportation vehicles by establishment of effective standards for their operation, equipment, and personnel. This article shall apply to all emergency medical transportation services and all physician/Transfer Center ordered non-emergency medical transportation services, whether performed by ground vehicle or by air ambulance. This article shall be liberally construed for the accomplishment of these purposes.

80.3 Intent. It is the intent of this article that each ambulance services permittee shall be allowed to provide emergency ambulance services as well as physician-ordered non-emergency medical transportation services. It is also the intent of this article that a permit to provide air ambulance services shall be separate from a permit to provide ground ambulance and non-emergency services. In addition, the Lake County Health Services Department (Department), upon approval by the Board, reserves the right to recommend to the Local Emergency Medical Services Agency (LEMSA) the establishment of exclusive Emergency Medical Services (EMS) operating areas for ambulance services permittees. Such exclusive operation areas shall be established and awarded in compliance with the provisions of this article and California Health and Safety Code Section 1797.224.

80.4 Medical Control. It is the intent of this article to provide medical direction and oversight of all Advanced Life Support Providers in Lake County. Medical control shall be maintained according to the current policies, procedures, and protocols of the designated LEMSAs with the support of the Lake County Emergency Medical Care Committee (EMCC).

Sec. 9-81. Definitions.

Unless otherwise specified, for the purposes of this article, words and terms are defined as follows:

- (a) **911.** An Advanced Life Support ambulance available for emergency 911 dispatch and non-emergency dispatch for and in Lake County other than inter-facility transport.
- (b) **Accredited.** The fact of being officially recognized, accepted, or approved of, or the act of officially recognizing, accepting, or approving of something.

- (c) **Advanced Life Support (ALS).** Special services designed to provide advanced pre-hospital care by a State Licensed and LEMSAs-accredited EMT Paramedic pursuant to California Health and Safety Code Section 1797.52. ALS means special services designed to provide definitive prehospital emergency medical care, including, but not limited to, cardiopulmonary resuscitation, cardiac monitoring, cardiac defibrillation, advanced airway management, intravenous therapy, administration of specified drugs and other medicinal preparations, and other specified techniques and procedures administered by authorized personnel under the direct supervision of a base hospital as part of a local EMS system at the scene of an emergency, during transport to an acute care hospital, during Inter-Facility Transfer (IFT), and while in the emergency department of an acute care hospital until responsibility is assumed by the emergency or other medical staff of that hospital.
- (d) **Air Ambulance.** Any aircraft (fixed wing or rotor) specially constructed or modified, equipped, and used for the purpose of transporting critically ill or injured. This service includes providing qualified flight crews and aircraft maintenance.
- (e) **Air Ambulance Service.** An air transportation service which is specifically designed to accommodate the medical needs of a person who is ill or injured. This service includes providing qualified flight crews and aircraft maintenance.
- (f) **Ambulance.** Any vehicle specially constructed or modified, equipped, and used for the purpose of transporting sick, injured, invalid, convalescent, or otherwise incapacitated persons and which has met all license and other requirements in applicable federal, state, and local law and regulations.
- (g) **Ambulance Service.** Any organization or individual(s) providing an ambulance for use in emergency (and non-emergency) ambulance transports.
- (h) **Base Hospital.** A LEMSAs-designated hospital is responsible for directing the advanced, limited advanced, and basic life support systems assigned to it by the LEMSAs pursuant to California Health & Safety Code Section 1797.58.
- (i) **Basic Life Support (BLS).** The type of care that first responders, healthcare providers, and public safety professionals provide to anyone experiencing cardiac arrest, respiratory distress, or an obstructed airway. It requires knowledge and skills in CardioPulmonary Resuscitation (CPR), using Automated External Defibrillators (AED) and relieving airway obstructions in patients of every age.
- (j) **Board.** The Board of Supervisors of the County of Lake.
- (k) **Certificate or License.** A special document issued to an individual by a LEMSAs or Emergency Medical Services Authority (EMSAs) denoting competence in the named areas of pre-hospital care.
- (l) **County.** The County of Lake, State of California.
- (m) **Department.** The County of Lake Health Services Department, with the Health Services Director as the primary contact. A division of a local or larger government responsible for the oversight and care of matters relating to public health.
- (n) **Emergency.** A condition or situation in which an individual has a need for immediate medical attention or where the potential for such a need is perceived by emergency medical personnel or a public safety agency.

- (o) **Emergency Call.** A request for the dispatch of an ambulance to any sudden unforeseen need for medical attention.
- (p) **Emergency Medical Care Committee (EMCC).** The Lake County EMCC appointed by the Board pursuant to California Health and Safety Code Sections 1797.270 et seq. means an advisory committee appointed by a County Board that represents EMS system participants and advises the County Board and LEMSA on EMS system issues.
- (q) **Emergency Medical Services (EMS).** The services utilized in responding to a medical emergency.
- (r) **Emergency Medical Services (EMS) System.** An organized arrangement that provides the personnel, facilities, and equipment for the effective and coordinated delivery of medical care services under emergency conditions.
- (s) **Emergency Medical Services Authority (EMSA).** State lead EMS authority that sets statewide EMS system standards and guidelines pursuant to statute.
- (t) **Emergency Medical Technician (EMT).** An individual trained and certified in basic life support pursuant to California Health and Safety Code, Section 1797.80.
- (u) **Emergency Medical Technician-Paramedic (EMT-P).** See (dd) Paramedic (P).
- (v) **Paramedic (P).** An individual who is trained, licensed within California and accredited within the North Coast Emergency Medical Services (NCEMS) region in Advanced Life Support pursuant to the California Health and Safety Code and Title 22 of the California Code of Regulations.
- (w) **Emergency Medical Transportation Services.** Transportation by ambulance or air ambulance of sick, injured, invalid, convalescent, informed, or otherwise incapacitated persons whose medical conditions require emergency services or equipment during transport.
- (x) **Exclusive Operation Area.** An EMS area or subarea defined by the EMS plan for which a LEMSA, restricts operations to one or more emergency ambulance services or providers of limited advanced life support or advanced life support. Pursuant to Health and Safety Code 1797.85.
- (y) **Health Services Director.** The primary contact for the Department, which administers the for the oversight and care of matters relating to public health.
- (z) **Inter-Facility Transfer (IFT).** Under Health and Safety Code Section 1798.172: (a) The LEMSA shall establish guidelines and standards for the completion and operation of formal transfer agreements between hospitals with varying levels of care in the area of jurisdiction of the LEMSA consistent with Health and Safety Code Sections 1317 to 1317.9a, inclusive, and Chapter 5 (commencing with Section 1798). The level of urgency may be non-emergency or “critical” emergency in nature.
- (aa) **Lake County EMS Plan.** The plan is currently part of the NCEMS Regional Plan and was established by the LEMSA for delivering EMS within Lake County. It must be reviewed by the EMSA annually.
 - (1) **Public Sector Permit.** This permit allows a public ambulance provider, an ambulance provider run by a government entity, to operate multiple or single ALS and BLS level ambulances in the County, as described in Section 9-83.2 of the article. Each ambulance must be fully equipped and staffed with a minimum of one ALS, BLS, or Public Safety responder for response and two personnel for

transport 24/7/365 for emergency transport calls as well as Priority Ones as defined in the LCFCA Priority One Policy. The holder of this permit must have mutual aid or response agreements, which are approved by the Department or LEMSA and comply with all local and state requirements.

- (2) **Private Sector Permit.** This permit allows a private ambulance provider, an ambulance provider not run by a government entity, to operate multiple or single ALS and BLS level ambulances, in the County, as described in Section 9-83.2 of this article. Each ambulance must be fully equipped and staffed with one ALS and one BLS personnel or two BLS personnel 24/7/365 for physician ordered calls (IFT) and emergency transport calls, as needed if available.
- (bb) **Communications Center.** The emergency service dispatch system operated for the County of Lake in the State of California.
- (cc) **Lake County Fire Chiefs Association (LCFCA).** The association composed of the chiefs of the fire protection districts around Lake County, California.
- (dd) **Local EMS Agency (LEMSA).** The agency, department, or office that holds primary responsibility for the administration of emergency medical services in the County designated pursuant to California Health and Safety Code Section 1797.200. Through a joint power agreement, the "Local EMS Agency" for Lake County.
- (ee) **Medical Control.** The medical management of the EMS system pursuant to California Health and Safety Code, Section 1797.200 and 1798, local laws, regulations, and policies.
- (ff) **Medical Health Officer Area Coordinator (MHOAC).** Representation of the 24/7/365 single point of contact for the MHOAC program and is responsible for monitoring, ensuring, and procuring medical and health resources during a local emergency or disaster. The MHOAC is authorized to work with the Regional Disaster 2 Medical Health (RDMHC)1 Program to submit and respond to medical and health requests for resources outside of the Operational Area (OA). The County of Lake Health Services Director may act jointly as the MHOAC in collaboration with the Public Health Officer, or they may appoint an individual to serve in this role.
- (gg) **Mutual Aid.** An agreement among emergency responders to lend assistance across jurisdictional boundaries in emergent and non-emergent circumstances. This may occur due to an emergency response that exceeds local resources, such as a disaster or a multiple-alarm fire. Mutual aid may be *ad hoc*, requested only when an emergency occurs. It may also be a formal standing agreement for cooperative emergency management on a continuing basis, such as ensuring that resources are dispatched from the nearest fire station, regardless of which side of the jurisdictional boundary the incident is on. Agreements that send the closest resources are regularly referred to as "automatic aid agreements."
- (hh) **Non-Emergency Medical Transportation Services, or "Non-Emergency Services."** Physician-ordered transportation by ambulance, litter van (as defined in Section 51151.3 of Title 22 of the California Code of Regulations), or wheelchair van (as defined in Section 51151.5 of Title 22 of the California Code of Regulations) of sick, injured, invalid, convalescent, infirm or otherwise incapacitated persons whose medical conditions require transportation services but do not require emergency services or equipment during transport.

- (ii) **Non-Emergency Medical Transportation Unit, or “Non-Emergency Unit.”** Any vehicle or aircraft that is constructed or modified, equipped, and used for the purpose of providing non-emergency medical transportation services and which has met all applicable licensing, operation, and equipment laws and regulations.
- (jj) **Patient.** A sick, injured, invalid, convalescent, infirm, or otherwise incapacitated person.
- (kk) **Permittee.** Any ambulance service which has been granted a permit by the Department to engage in the business of providing emergency medical transportation, services and/or non-emergency medical transportation services as defined in this article.
- (ll) **Person.** An individual, firm, corporation, association, group, or combination acting as a unit.
- (mm) **Public Safety 1st Aid.** means the recognition of and immediate care for injury or sudden illness, including medical emergencies, by public safety personnel prior to the availability of medical care by licensed or certified healthcare professionals. Note: Authority cited: Section 1797.107, Health and Safety Code. This would include Cardiopulmonary Resuscitation.
- (nn) **Reserve Ambulance.** An ambulance, either staffed or non-staffed, is available for emergency or non-emergency service.
- (oo) **Response.** The initiation of movement by equipment or personnel to an emergency pursuant to dispatch.
- (pp) **Response Agreement/Ambulance.** The written agreement entered into by all permitted ambulance service providers to coordinate resources for response outside of their exclusive operational areas.
- (qq) **Response Zones.** An area defined by the LCFCA in which the permittee shall provide ambulance service.
- (rr) **Service Area.** The geographic response area of a permitted ambulance service. The service area must correspond to each individual service license. The service's employee staffing plan, ambulance placement strategy, and available resources must be commensurate with the service area.

Sec. 9-82. Administrative Authority

This article shall be administered by the Department.

Sec. 9-83. Emergency and Non-Emergency Services.

83.1. Permits and Permittees.

- (a) **Permit Required.** It shall be unlawful for any private person, organization, or entity to operate, conduct, advertise, or otherwise engage in or profess to be engaged in the business of emergency or non-emergency medical transportation of patients, either by ground vehicle or by aircraft without possessing a valid permit issued by the Department. An applicant currently permitted in another county may submit their permit information to the Department for review.
 - (1) **Exceptions.** A permit shall not be required for:
 - (A) **Air ambulances originating outside of the County.** Air ambulance at the request of the Department during any “state of war emergency,” duly

- proclaimed "state of emergency" or "local emergency" as defined by the California Emergency Services Act (Government Code Section 8550 et seq.).
- (B) Ambulance services which are otherwise legally transporting a patient from a location originating outside the County regardless of destination.
 - (C) Ambulances operated by an ambulance service located outside the County in response to a mutual aid request by LCFCA Communications Center, MHOAC, or a base hospital located in the County due to a permittee being temporarily unable.
 - (D) Special event permits are managed by the local fire districts having jurisdiction for all EMS special event needs.
- (2) **Duration.** Permits are valid for up to three years or the length of an established agreement with the local hospital(s).
- (b) **Permit Fees.** Permit fees shall be those set by resolution of the Board. Public Sector may apply for both Public and Private Sector Permits with only one fee issued at the time of issuance, expressly stating that the application is for other Public and Private Sector Permits. Permittees are required to submit any changes annually for the renewal process.
- (c) **Application or Renewal of Private Sector Permit for Private Ambulance Provider.** Each applicant for an initial permit or renewal of an existing permit shall file an application in writing on an approved form, which shall provide the information described in items (1) through (16) below. An applicant for a permit to provide only air ambulance services shall be subject only to the provisions of Section 9-83.1(e) of this article.
- (1) Name and description of the applicant.
 - (2) Business address and residence address of the applicant.
 - (3) Trade or firm name, or DBA as recorded.
 - (4) If a corporation, joint venture, partnership, or limited partnership: the names, permanent addresses, and ownership percentages of each such corporate office, joint venture, partner, or limited partner.
 - (5) A statement of facts showing the experience of the applicant in the operation of an ambulance service and non-emergency service and that the applicant is qualified to render efficient and continuous twenty-four (24) hour ambulance services and non-emergency services. A photocopy of the license issued by the Commissioner of the California Highway Patrol (CHP) to ambulances (in accordance with Section 2501 of the California Vehicle Code and Title 13 of the California Code of Regulations) shall be appended to the application.
 - (6) A statement that the applicant owns or has under its control, in good mechanical condition, required vehicles and equipment to adequately conduct an ambulance service and non-emergency service that meet the requirements established by the California Vehicle Code and this article and that the applicant owns or has access to suitable and safe facilities for maintaining the vehicles and equipment in a clean and sanitary condition. A copy of the most recent Ambulance Inspection Report issued by the California Highway Patrol for each vehicle and a current lamp and brake inspection certificate issued by a facility certified by the Bureau of Automotive Repair for each vehicle owned or operated by the applicant shall be appended to the application.

- (7) A statement, amended as necessary during the year, for any changed, substituted, loaned, or leased vehicles, giving a complete description of each ambulance and non-emergency vehicle operated by the applicant, including the patient capacity thereof. A copy of the most recent Ambulance Inspection Report issued by the CHP for each vehicle and a lamp and brake inspection from a facility certified by the Bureau of Automotive Repair for each vehicle shall be appended to the application.
 - (8) An affirmation that each permittee ambulance and its appurtenances conform to all applicable provisions of this article, the California Vehicle Code, the California Code of Regulations, and any other applicable state or local law shall be provided prior to the start of the renewal date of the ambulance operations.
 - (9) A statement that the applicant has sufficient certified personnel adequately trained to deliver emergency medical services of good quality at all times.
 - (10) Proof of authorization by the LEMSA to operate as an ALS Ambulance Provider. A letter of intent to issue authorization from the LEMSA may be used to obtain a temporary permit for up to sixty (60) days.
 - (11) A statement signed by the applicant that, as a condition of the Department issuing a permit, the applicant agrees to indemnify and defend the County and its officers and employees against and hold them harmless from any and all claims, losses, damages, and liability for damages, including damage to or loss of property, or injury to or death or person, including properties of the County and injury to or death of County officials, employees or agents, arising out of, or connected with the applicant's operations under said permit.
 - (12) A schedule of rates to be charged for emergency ambulance services and non-emergency services.
 - (13) Proof of obtaining or maintaining a contract with LCFA Communications Center or their designated agent for dispatch services of emergency 911 calls.
 - (14) A disclosure of each instance in which the applicant has had an ambulance service or air ambulance service certificate, license, or permit issued by the State EMS Authority, a LEMSA, or a County or City revoked or suspended for cause, including a description of the facts and circumstance which formed the basis for each such revocation or suspension and the date(s) of each such revocation or suspension.
 - (15) Such other facts or information as required by the Department.
 - (16) After the initial application, an applicant for renewal may indicate "no change" if applicable to Items (5) – (14). Each applicant for renewal shall provide information as requested by the Department to demonstrate the level of compliance with the performance standards as outlined in Section 9-83.1(c)(1), (2), (3), and (4) of this article.
- (d) **Application or Renewal of Public Permit for Public Ambulance Provider.** For each applicant, an initial permit shall be filed in writing on an approved form which shall provide the information described in items (1) through (16) below. Any changes for renewal will be sent in as an annual update or renewal. An applicant for a permit to provide only air ambulance services shall be subject only to the provisions of Section 9-83.1(e) of this article.
- (1) Name and description of the applicant.

- (2) The business address of the applicant.
- (3) A statement for any changed, substituted, loaned, or leased vehicles, giving a complete description of each ambulance and non-emergency vehicle operated by the applicant, including the patient capacity thereof. *On initial application and when there are changes.*
- (4) Proof of authorization by the LEMSA to operate as an ALS provider. A letter of intent to issue authorization from the LEMSA may be used to obtain a temporary permit for up to sixty (60) days.
- (5) A statement signed by the applicant that, as a condition of the Department issuing a permit, the applicant agrees to indemnify and defend the County and its officers, employees against, and hold them harmless from any and all claims, losses, damages, and liability for damages, including attorney's fees and other costs of defense incurred by County, whether for damage to or loss of property, injury to or death of person, including properties of County and injury to or death of County officials, employees, or agents, arising out of, or connected with applicant's operations under said permit.
- (6) A schedule of rates to be charged for emergency ambulance services and non-emergency services.
- (7) Proof of obtaining and/or maintaining a contract with LCFA Communications Center or their designated agent for dispatch services of emergency 911 calls.
- (8) A disclosure of each instance in which the applicant has had an ambulance service or air ambulance service certificate, license or permit issued by the State EMS Authority, a LEMSA, or a county or city revoked or suspended for cause, including a description of the facts and circumstances which formed the basis for each such revocation or suspension and the date(s) of each such revocation or suspension.
- (9) Such other facts or information as required by the Department.
- (10) After the initial application, an applicant for renewal may indicate "no change" if applicable to Items (5) – (14). Each applicant for renewal shall provide information as requested by the Department to demonstrate the level of compliance with the performance standards as outlined in Section 9-83.1(c)(1), (2), (3), and (4) of this article.

(e) Air Ambulance Permits

- (1) Each applicant for a permit to provide air ambulance services which originate in the County shall submit to the Department the following:
- (2) Air Ambulances operating from within the County must be a LEMSA approved Air Ambulance and ALS provider.
 - (A) Responses to Section 9-83.1(c), items (1), (2), (3), (4), (9), (11), (12), (14), and (15) of this article.
 - (B) A description of the proposed service, including hours of availability, personnel, triage for emergency and non-emergency calls, area of response and a letter of intent expressing familiarity and willingness to abide by the policies of the Department and the LEMSA.

- (C) A statement that each aircraft owned or operated by the applicant is maintained in compliance with applicable federal and state laws and regulations regarding licensing and airworthiness.
- (f) **Investigation by Department.** Upon receipt of a complete permit application, the Department shall, as part of its investigation to determine if the applicant meets all the requirements of this article, forward a copy of the application to the EMCC for its review and recommendation. Upon completion of the investigation, the Department shall provide its written recommendation and the recommendation of the EMCC to the permit applicant and afford the applicant twenty days to make a written response to the Department. The Department shall then review the response of the applicant for determination regarding whether the permit should be granted or denied in accordance with Section 9-83.1(g).
- (g) **Issuance, Denial, or Revocation of Permit**
 - (1) The Department may issue a permit upon finding that the applicant meets the requirements of this article.
 - (2) The Department may deny or revoke a permit if the applicant does not meet the requirements of this article or if the Department finds that the applicant or any partner, officer, or director thereof:
 - (A) Was previously the holder of a permit issued under this article, which permit has been suspended, revoked, or not reissued, and the terms or conditions of the suspension have not been fulfilled or corrected.
 - (B) Is committing, or has committed, any act which if committed by any permittee would be grounds for the suspension or revocation of a permit issued pursuant to this article.
 - (C) Has acted in the capacity of a permittee under this article without having a valid permit.
 - (D) Has entered a plea of guilty or nolo contendere to, and has been found guilty of, a felony or crime involving moral turpitude, the time of appeal has elapsed, or the judgment or conviction has been affirmed on appeal. Such criminal convictions may result in the denial of a permit, irrespective of whether an order granting probation following such conviction suspended the imposition of sentence or that a subsequent order under the provisions of Section 1203.4 of the Penal Code allowed such person to withdraw his pleas of guilty and enter a plea of not guilty or that the verdict was set aside, and the case dismissed.
- (h) **Renewal of Permits.** Permits shall be renewed every three years by the Department upon application of the permittee. If it is determined that the permittee has, during the period of the expiring permit, operated in conformity with the provisions of this article and that the permittee is capable of continuing operation in conformity therewith, the permittee will be notified by the Department sixty (60) days prior to the expiration of the permit. Renewal will be dependent upon both:
 - (1) A successful performance review conducted by the Department.
 - (2) Completion of all required information requested in the Application for Renewal of Permit in this article.
- (i) **Amendment of Permits.**

- (1) Upon request of the permittee, the Department may amend the conditions specified in the permit when such changes are in substantial compliance with the provisions of this article. Such an amendment shall not affect the expiration date of the existing permit.
 - (2) Amendments shall not authorize a change in the ownership form specified in the original permit.
 - (3) Application for revision of rates charged for emergency ambulance services shall be made to the Department on forms supplied by the Department.
 - (4) Change in location or level of services shall not be allowed by such amendment unless the change is in compliance with the County EMS Plan and California State Law. The Annual Regional EMS Plan Update shall include wording that the County Ambulance Ordinance was revised that year.
 - (5) A permittee must conform to the requirements of the permit unless a revision is approved by the Department, as provided in this article.
- (j) **Conditional Operation and Temporary Variance.** In the event of a change in ownership of any kind or nature, any interruption of service of more than twenty-four (24) hours duration, or any substantial change in staffing or equipment of the permittee which causes ambulance services or non-emergency services to be carried out differently than specified in the current operating permit, the permittee shall notify the Department immediately in writing, stating the facts of such change. Upon request by the permittee, the Department may grant a temporary variance from the conditions specified in the original permit if it finds that such a change is in substantial compliance with the provisions of this article. If the Department finds that such a change is not in substantial compliance with this article, it may suspend or revoke the permit pursuant to Section 9-86 or 9-87 of this article. In all cases where a change in ownership occurs, an application for a new permit shall be filed within thirty (30) days. In no case shall any temporary variance be valid for more than sixty (60) days without written approval of the Department.
- (k) **Responsibilities and Duties of Permittee.** In addition to the other requirements and obligations set forth in this article, permittees providing both ambulance and non-emergency services shall comply with items (1) through (7) below. Permittees providing air ambulance services only shall comply with (2) through (5) below.
- (1) Private Sector Permittees shall render services required under this article on an as needed basis as defined in their agreement with the local hospital(s) as specified by the permit. Such services shall commence five (5) days after the issuance of a permit unless a different time for commencement is granted by the Department.
 - (2) Public Sector Permittees shall render emergency ambulance services required under this article on a continuous twenty-four (24) hour per day basis throughout the entire service area specified by the permit. Such services shall commence five (5) days after the issuance of a permit unless a different time for commencement is granted by the Department.
 - (3) A Permittee shall take no action to discontinue any services to the service area or any portion thereof without first giving written notice to the Department at least ninety (90) days prior to the proposed discontinuance.

- (4) Private Sector Permittees shall notify the Department, in writing, within five (5) days after receipt of the results of any ambulance, air ambulance or non-emergency vehicle inspection conducted by a State agency regarding any ambulance or air ambulance license. Public Sector permittees are exempt from DOT/CHP Title 13 inspections, and there is no other agency to provide this.
 - (5) A Permittee shall notify the Department and Lake County Fire Chiefs Association Emergency Communication Center (ECC) immediately by phone or radio, and the Public Health Officer in writing within seventy-two (72) hours of any known or foreseeable interruption, suspension, delays, or changes in services which may endanger the health, safety or welfare of the service area, or portion thereof, covered by the permittee.
 - (6) Notify Lake County Fire Chiefs Association Emergency Communication Center (ECC), Department, and the LEMSA immediately whenever an ambulance in emergency service is unable to meet emergency response standards as specified in Section 9-83.2 (g) and/or this article.
 - (7) Permittees generally will not be considered in violation of this ordinance when attempting to correct interruptions other than scheduling/staffing issues if using written ambulance response agreements for 911 ambulance coverage.
- (I) **Insurance and Indemnity.**
- (1) **General Liability for Vehicle Operation.** Each permittee shall obtain and keep in force during the term of its permit public liability insurance, issued by a company authorized to do business in the State of California, insuring the owner, and also naming the County as an additional insured, for each ambulance and each non-emergency vehicle owned or operated by permittee against liability due to injury or damage that may result to persons or property from the negligent operation or defective construction of such ambulance or non-emergency vehicle, or from violation of this article or any other law of the State of California or of the United States. Said policy shall be not less than one million dollars (\$1,000,000) combined single limit for personal injury and property damage of each vehicle in any one incident. Copies of all certificates of insurance evidencing such policies shall be filed with the Department before a permit is issued. All policies shall contain a provision requiring that a minimum of fifteen (15) calendar days' notice be given to the Department prior to the cancellation, modification, or reduction of coverage limits. The amounts of public liability insurance for bodily injury or property damage shall be subject to review and adjustment by the Board annually at the Board's option. *Only on initial application for Public Sector applicants.*
 - (2) **Medical Liability.** Each permittee shall maintain comprehensive medical liability insurance in the amount of one million dollars (\$1,000,000) and shall furnish the department with a certificate of insurance prior to issuance or renewal of a permit. Said policy shall name the County as an additional insured and shall require that a minimum of fifteen (15) calendar days' notice be given to the Department prior to cancellation, modification, or reduction of coverage limits. The amount of liability coverage shall be subject to review and adjustment by the Board annually at the Board's option.

- (3) **Workers' Compensation.** Each permittee shall carry Workers' Compensation insurance covering all employees of the permittee.
- (4) **Indemnity.** Each Permittee shall defend, indemnify, and hold harmless the County, its agents, and employees from and against any and all actions for damages, losses to persons or property arising out of, or in connection with, the activities of the permittee, its agents or employees. Said defense and indemnification shall include, but not be limited to, any and all cost expenses, attorney's fees and liability incurred.

83.2 Ambulance Operations Standards

- (a) **Staffing:** Unless otherwise approved by the CHP, each ambulance being operated to render emergency medical care shall be staffed by at least one driver and one attendant when transporting a patient. An attendant shall occupy the patient compartment while transporting a person in need of medical attention. Responsibility for patient care shall rest with the highest certified person. The requirement need not apply during a "state of war emergency," duly proclaimed "state of emergency," or "local emergency" as defined by the California Emergency Services Act (Government Code Sections 8550 et seq).
- (b) **Ambulance Availability**
 - (1) Public Sector permittee shall provide ALS emergency ambulance services on a continuous twenty-four (24) hour per day basis, excluding acts of God, defined as a natural event that causes loss. If, for any reason, a permittee stops ALS emergency ambulance services on a continuous twenty-four (24) hour per day basis, the permittee shall immediately stop any advertisement of emergency services that have been discontinued and shall immediately notify the Department, LCFCA Communications Center, base hospital, and the LEMSA.
 - (2) Private Sector permittees shall provide ALS and/or BLS ambulance services based on an established agreement with the local hospital(s), excluding acts of God, defined as a natural event that causes loss. If, for any reason, a permittee stops ambulance services, the permittee shall immediately stop any advertisement of emergency services that have been discontinued and shall immediately notify the Department, the base hospital, and the LEMSA.
 - (3) Each permittee shall provide ALS ambulances as described by the LEMSA in their Policies, Procedures, and Protocols Manual and as described in Title 22 of the California Code of Regulations.
 - a. Minimum 911 and reserve ambulance requirements for each response zone shall be established by the individual permittee and Department after consultation with the EMCC and reviewed at least every three (3) years.
- (c) **Ambulance Safety and Emergency Equipment.** Each ambulance shall be equipped with all safety and emergency equipment required for an ambulance by the California Vehicle Code, the California Code of Regulations, and the LEMSA. Ambulances and safety and emergency equipment shall be maintained at all times in good mechanical repair and clean and sanitary condition.
- (d) **Inspection.**
 - (1) All Private Sector ambulances shall be inspected for vehicle requirements and safety and emergency equipment as required by the CHP.

- (2) The Department and LEMSA may also inspect all ambulances for compliance with local standards, if any, at the Department and LEMSA's discretion.
- (e) **Relationship to First Responders.** When EMS is initially provided by non-ambulance services such as fire or police agencies, the ambulance staff shall be responsible for assuring the transition of patient care, including relaying all pertinent historical and medical information, to ensure that continued appropriate services are rendered, pursuant to LEMSA policy.
- (f) **Destination of Emergency Patients.** Any patient meeting the definition of critically ill or injured as established by the LEMSA and in need of Code 3 transportation shall be transported to a destination in accordance with LEMSA policies, procedures, and protocols.
- (g) **Ambulance Response Standards.** In addition to the current LCFCA Response Matrix and individual Response Zones under Appendix 1 for Response Zones and EMCC Response Time Guidelines, the following response standards shall apply:
 - (1) **Dispatch Procedures**
 - a. All 911 Response Ambulances shall be dispatched by an authorized 911 emergency Dispatch Agency/Center or their authorized dispatch agency.
 - b. The same designated dispatch agency shall keep all response and availability records for a minimum of 3 years.
 - c. Dispatch/availability information to be kept on 911 ambulances (along with caller, type of call address, etc.) for a minimum of 180 days:
 - (i) Call received.
 - (ii) Call dispatched.
 - (iii) Unit responding (location and response code)
 - (iv) Unit at scene
 - (v) Unit in service hospital (and code)
 - (vi) Unit arrived at the hospital.
 - (vii) Unit available for dispatch
 - (viii) Unit returning to quarters or available in the area.
 - (ix) Unit in quarters
 - (x) Unit out of service (and reason, i.e., mechanical, staffing, etc.)

83.3 Private Permittees Services Operation

- (a) **Non-Emergency Unit Staffing and Equipment.** Each non-emergency unit shall be staffed and equipped in accordance with provisions of Section 51231.1 (Litter Van Requirements), Section 51231.2 (Wheelchair Van Requirements), or Section 51231 (Ambulance Requirements) of Title 22 of the California Code of Regulations as may be applicable.
- (b) **Availability.** Each permittee may provide non-emergency medical transportation services on an as-needed basis as defined by the local hospital(s).

83.4 Air Ambulance Operations

- (a) Non-permittees.
 - (1) Air ambulance services, which originate from a jurisdiction outside the County, are not required to possess a permit to operate in the county.

- (2) No air ambulance originating from a jurisdiction outside the County, with the exception of the CHP helicopter, shall respond to an emergency within the County unless requested by LCFCA Communications Center upon the request of the senior prehospital medical personnel at the scene of the emergency or the incident commander enroute to or from an emergency.

83.5 Data Collection and Reporting

- (a) The equipment, premises, vehicle, and/or aircraft maintenance records of calls for the permittee shall be open to inspection by the Department, the LEMSA, the Base Hospitals, and CHP during the normal business hours of operation.

Sec. 9-84 User Complaints

Complaints regarding permittees pursuant to this Article shall be resolved at the lowest possible level. Any person who contends that he or she has received inadequate or inappropriate services or excessive or inappropriate charges shall be directed to attempt resolution of the complaint by meeting and discussing the complaint with the involved person, agency, or entity. If this effort is unsuccessful, the complainant may file a written complaint with the Department. The Department shall investigate the allegations and take appropriate action. EMS system or patient care complaints not involving the Ambulance Ordinance should go to the ALS Provider, base hospital, and/or LEMSA pursuant to Quality Improvement policies.

Sec. 9-85 Appeal Procedure

If the Department denies the renewal of a permit, or if the Department suspends or revokes a permit, the permittee shall have the right to demand an appeal hearing before the Board. A request for an appeal hearing shall be made in writing to the Clerk of the Board within fifteen (15) working days following the denial of a renewal, suspension, or revocation of the permit. Such a request shall include a written statement setting forth the basis upon which the Department decision is challenged. Upon receipt of the written request, the Clerk of the Board shall set the matter for a hearing on a date not more than ten (10) days or sooner following receipt of the written request, and the action of the Department should be placed on hold. The Clerk shall notify the appellant and the Department of the date set for the hearing. At the hearing, the Board shall hear the appellant, the Department, and any other interested person who may present evidence relative to the decision of the Department. Within thirty (30) days following the conclusion of the hearing, the Board shall issue a written decision to determine the appeal. The determination of the Board shall be final.

Sec. 9-86 Emergency Action.

The Department may immediately suspend any permit issued under this article when it makes written findings of the fact requiring such action to protect public health, safety, and welfare. The Department shall immediately notify the permittee of the suspension. A request for an appeal hearing under this Section 9-86 shall be submitted in writing to the Department within five (5) working days of a Permittee's receipt of the Department's suspension notice. The Department shall then hold a hearing within five (5) working days following receipt of permittee's request for an appeal. At the hearing, the Department shall hear the appellant and any other interested person who may present evidence relative to the decision of the Department. A written decision shall be issued within five (5) working days after

the completion of the hearing. The Department shall ensure adequate EMS coverage for the duration of the suspension and appeal under this Section 9-86.

Sec. 9-87 Enforcement

87.1 Department Responsibilities

- (a) The Department shall make all necessary and reasonable rules and regulations governing permittees and their operations, equipment, vehicles, and personnel, as well as for the effective and reasonable administration of this article to those items pursuant to this Ambulance Ordinance.
- (b) The Department shall inspect the records, facilities, vehicles, equipment, and methods of operation prior to the issuance of a new or renewed permit, or whenever such inspections are deemed necessary by the Department. Need additional conversation with the LEMSA.

88.2 Penalties – General. A violation of any provision of this article is punishable as an infraction by a fine of not more than one hundred dollars (\$100.00), or as a misdemeanor by a fine of not more than five hundred dollars (\$500.00), or by imprisonment in the County Jail for a period of not more than six (6) months, or by both such fine and imprisonment. Each separate day or any portion thereof on which any violation occurs shall be deemed to constitute a separate offense punishable as herein provided.

Sec. 9-88 Ordinance Review

88.1 Annual Review. The EMCC shall review the Ambulance Ordinance annually in the month of January to ensure compliance and relevance of the ordinance, as well as update the ordinance to ensure new emergency issues can be mitigated and dealt with appropriately and that new laws do not conflict.

88.2 Response Time Review: response times will be reviewed by the EMCC on a bi-annual basis.

Section 2: All ordinances or parts of ordinances or resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict and no further.

Section 3: This ordinance shall take effect on the ____ day of ____ 2024, and before the expiration of fifteen days after its passage, it shall be published at least once in a newspaper of general circulation in the County of Lake.

The foregoing Ordinance was introduced before the Board of Supervisors on the day of ____ of ____ 2024, and passed by the following vote on the ____ of ____ 2024, by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

COUNTY OF LAKE

Board of Supervisors

ATTEST: SUSAN PARKER
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

LLOYD GUINTIVANO
County Counsel

By: _____
Deputy

APPENDIX 1

The LCFCA have dropped their response boundaries, therefore the LCFCA Communications Center ensures the closest and fastest resource to every call throughout the County.

(1) Listed are response areas for:

“Regular Response”: Response with all available resources available.

“Special Response”: Response with other resources unavailable.”

a. **Response Zone 50 – 52**

- i. Regular Response: Initial response to any zone within the Lakeport Fire Protection District.
- ii. Special Response: All zones defined in current LCFCA Response Matrix, mutual aid or response agreements.

b. **Response Zone 55 – 56**

- i. Regular Response: Initial response to any zone within the Kelseyville Fire Protection District.
- ii. Special Response: All zones defined in current LCFCA Response Matrix, mutual aid or response agreements.

c. **Response Zone 60 - 62,63,64**

- i. Regular Response: Initial response to any zone within the South Lake County Fire Protection District.
- ii. Special Response: All zones defined in current LCFCA Response Matrix, mutual aid or response agreements.

d. **Response Zone 65 and 70**

- i. Regular Response: Initial Response to any zone within the Lake County Fire Protection District.
- ii. Special Response: All zones defined in current LCFCA Response Matrix, mutual aid or response agreements.

e. **Response Zone 75**

- i. Regular Response: Initial response to any zone within the Northshore Fire Protection District.
- ii. Special Response: All zones defined in current LCFCA Response Matrix, mutual aid or response agreements.

f. **Response Zone 80**

- i. Regular Response: Initial response to any area within the Northshore Fire Protection District.
- ii. Special Response: All areas defined in current LCFCA Response Matrix, mutual aid or response agreements.

g. **Response Area 85**

- i. Regular Response: Initial response to any area within the Northshore Fire Protection District.
- ii. Special Response: All areas defined in current LCFCA Response Matrix, mutual aid or response agreements.

h. **Response Area 90**

- i. Regular Response: Initial response to any zone within the Northshore Fire Protection District.
 - ii. Special Response: All areas defined in current LCFA Response Matrix, mutual aid or response agreements.
- (2) Response time to be enroute after a call is received shall be: three (3) to five (5) minutes.
- (3) Response time to the reported scene from the time the ambulance goes enroute will be established by the individual agency.
- (4) Response Procedures
 - a. All 911 units will announce their dispatch response and all other ambulance response information to their designated dispatch agency on a non-protected radio frequency.
 - b. All 911 responses will be dispatched either Code 2 or 3 by the dispatch center based upon the identified patient's condition and perceived urgency.
 - c. Ambulances shall be available to respond to a new call as promptly as possible after arrival at a hospital with a patient. Their designated dispatch agency will be notified of any delays. If the time at the hospital exceeds 30 minutes, the provider shall track and periodically report such occurrences to the Department and LEMSA.