ORDINANCE NO. 10274 (NEW SERIES)

AN ORDINANCE AMENDING DIVISION 10 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO STANDARDS AND REQUIREMENTS FOR AMBULANCE, CRITICAL CARE, AND NON-EMERGENCY MEDICAL TRANSPORTATION SERVICES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that amendments to the San Diego County Code of Regulatory Ordinances, Division 10 of Title 6, are needed to update and clarify language.

Section 2. In the San Diego County Code of Regulatory Ordinances, Division 10 of Title 6 is hereby amended, to read as follows:

CHAPTER 1. GENERAL PROVISIONS

SEC. 610.101. PURPOSE.

(a) The emergency and non-emergency transportation of sick, disabled or injured persons is a matter closely affecting the public interest and welfare, it is the policy of the Board of Supervisors of San Diego County to see that persons requiring ground or air ambulance, critical care, and non-emergency medical transportation services receive such services, and that such services are reasonably available and accessible to persons within the County; and

(b) Every Emergency Medical Services aircraft (EMS aircraft), ground ambulance, critical care transport, and non-emergency medical transport vehicle that serves persons in the unincorporated areas of San Diego County shall meet certain minimum levels and standards of equipment, staffing and mechanical reliability.

SEC. 610.102. EXEMPTIONS.

(a) This Division shall not apply to vehicles operated as EMS aircraft, ground ambulances, critical care transport vehicles, and non-emergency medical transport vehicles, or to persons engaged in providing service where ambulance, critical care transport, and non-emergency medical transport services are rendered at the request of any County communications center or at the request of any law enforcement or fire protection agency during any "state of war emergency", "state of emergency", or "local emergency" as defined in California Government Code section 8558 or during any period (not over 30 days, but renewable every 30 days) when the Board of Supervisors or the Chief Administrative Officer or his or her designee has

determined that adequate emergency ambulance service, critical care transport service, or non-emergency medical transport services will not be available from existing permittees.

(b) This Division shall not apply to EMS aircraft, ground ambulances, critical care transport vehicles, or non-emergency medical transport vehicles and to persons engaged in the transport of patients where the transport initiated outside San Diego County boundaries for transport into the County.

(c) This Division does not apply to EMS aircraft, ground ambulances, critical care transport vehicles, or non-emergency medical transport vehicles operating solely within an incorporated area.

(d) Not for profit agencies, volunteer public safety agencies, or agencies permitted by another governmental entity shall not be required to pay the fees imposed by Section 610.501 of this Division. All other portions of this Division shall apply.

(e) Agencies of the United States Government operating air or ground ambulances are exempted from all portions of this Division.

(f) Governmental agencies operating air or ground ambulances twenty-four hours per day staffed with full time paid employees shall be exempted from the application process identified in Sections 610.201 through 610.211 and 610.401 through 610.411, as well as the fees imposed by Section 610.601 of this Division. All other portions of this Division shall apply.

SEC. 610.103. DEFINITIONS.

Unless otherwise specifically provided, the following terms as used in this Division are defined as follows:

(a) Advanced Life Support. "Advanced Life Support" (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 interfacility transfer, and while in the emergency department of an acute care hospital until responsibility is assumed by the emergency physician or other medical staff of that hospital, as cited in Section 1797.52 of the Health and Safety Code.

(b) Advanced Life Support Rescue Aircraft. "Advanced Life Support Rescue Aircraft," (ALS Rescue Aircraft) means a rescue aircraft whose medical flight crew has at a minimum one attendant certified or licensed in advanced life support.

(c) Air Ambulance. "Air Ambulance" means any rotor aircraft specially constructed, modified or equipped, and used for the primary purposes of responding to emergency calls and transporting critically ill or injured patients whose medical flight crew has at a minimum two (2) attendants certified or licensed in advanced life support, one of which is a Registered Nurse (RN).

1. Air Ambulance Providers permitted to respond to prehospital scene locations shall be identified as Primary Response Air Ambulances.

2. Interfacility Air Ambulances are aircraft configured and staffed as Air Ambulances and engaged in the transport of the sick and injured between licensed health care facilities with licensed heliports.

(d) Air Ambulance Service. "Air Ambulance Service" means an air transportation service that utilizes air ambulances.

(e) Air Rescue Service. "Air Rescue Service" means an air service used for emergencies, including search and rescue.

(f) Air Rescue or Air Ambulance Service Provider. "Air Rescue or Air Ambulance Service Provider" means the individual or group that owns and/or operates an air ambulance or air rescue service.

(g) Ambulance. "Ambulance" generally refers to a "Ground Ambulance" which is any vehicle specially constructed, modified or equipped and used for the purpose of transporting sick, injured, disabled, convalescent, infirm, or otherwise incapacitated persons, including vehicles used for critical care transport. "Ambulance" does not include a gurney van or a non-medical transport vehicle designed for the transportation of persons who are wheelchair users.

(h) Ambulance Attendant. "Ambulance Attendant" means a person who is at a minimum certified as an Emergency Medical Technician (EMT) whose primary duty is to care for the sick, injured or disabled persons.

(i) Ambulance Driver. "Ambulance Driver" means a person properly licensed by the State of California as an ambulance driver and who is at a minimum certified as an Emergency Medical Technician (EMT).

(j) Ambulance Provider. "Ambulance Provider" means a person, firm, partnership, corporation, municipality, government agency or other organization, which furnishes or offers to furnish ambulance service to the public, its employees, visitors and/or residents of San Diego County. "Ambulance Provider" includes all organizations that provide or operate an ambulance on private property whether or not required to do so by local, state or federal law and/or regulation.

(k) Ambulance Provider's Permit. "Ambulance Provider's Permit" means written authorization by the County to provide emergency or non-emergency ambulance service within the County.

(l) Ambulance Service. "Ambulance Service" means the activity, business or service for hire, profit, or otherwise, of being prepared for, responding to requests for and/or transporting one or more persons by ambulance on or in any of the streets, roads, highways, alleys, or any public way or place in the unincorporated areas of the County. "Ambulance Service" includes all organizations that provide or operate an ambulance on private property whether or not required to do so by local, state or federal law and/or regulation.

(m) Authorizing EMS Agency. "Authorizing EMS Agency" means the County of San Diego, Health and Human Services Agency, EMS Branch, which approves utilization of specific EMS aircraft within its jurisdiction.

(n) Auxiliary Rescue Aircraft. "Auxiliary Rescue Aircraft" means a rescue aircraft which does not have a medical flight crew, or whose medical flight crew does not meet the minimum requirements of a BLS rescue aircraft.

(o) Basic Life Support. "Basic Life Support" (BLS) means those procedures and skills contained in the EMT scope of practice listed in California Code of Regulations, Title 22, Division 9, Chapter 2.

(p) Basic Life Support Rescue Aircraft. "Basic Life Support Rescue Aircraft" (BLS Rescue Aircraft) means a rescue aircraft whose medical flight crew has at a minimum one attendant certified as an EMT with at least eight (8) hours of hospital clinical training, and whose field/clinical experience specified in the California Code of Regulations, Title 22, Division 9, Chapter 2 is in the air medical transport of patients.

(q) Classifying Emergency Medical Services Agency. "Classifying Emergency Medical Services Agency" (Classifying EMS Agency) means the agency, which categorizes the EMS aircraft into groups. This shall be the local EMS agency in the jurisdiction of origin, except for aircraft operated by the California Highway Patrol, the California Department of Forestry or the California National Guard, which shall be classified by the EMS Authority.

(r) Code I, II, or III Calls.

(1) Code I - Any non-emergency transportation of patients without the use of lights and sirens.

(2) Code II - An emergency where time is critical, requiring immediate response by the Ambulance Provider, without the use of lights and sirens.

(3) Code III - An emergency requiring immediate response, whether to or from the scene, with the use of lights and sirens to deliver critical care to patients threatened by loss of life or limb. Such responses involve emergency ALS

ambulances responding to 911 requests. BLS or CCT ambulance with such a response shall notify the emergency ambulance provider holding rights to the Exclusive Operating Area (EOA) within which the pathway to and/or address resides.

(s) Critical Care Transport. "Critical Care Transport" (CCT) means any non-911 requested emergency or non-emergency transport of a patient from one health care facility or acute care facility to another where the skill level required in the care of that patient during transport exceeds the basic life support, Emergency Medical Technician (EMT) level and scope of training.

(t) Critical Care Transport Provider. "Critical Care Transport Provider" (CCT Provider) means a person, firm, partnership, corporation, municipality, government agency or other organization, which furnishes or offers to furnish critical care transport.

(u) Critical Care Transport Provider's Permit. "Critical Care Transport (CCT) Provider's Permit" means written authorization by the County to provide emergency or non-emergency critical care transport within the County. Critical Care Providers may be employed or contracted by Transport Providers.

(v) Designated Dispatch Center. "Designated Dispatch Center," means an agency that has been designated by the County of San Diego EMS Branch for the purpose of coordinating air ambulance or rescue aircraft response to the scene of a medical emergency within the jurisdiction of the local EMS agency.

(w) Emergency Call. "Emergency Call" means a request for an ambulance to transport or assist persons in apparent sudden need of medical attention; or, an ambulance transport that is initially classified as a non-emergency call that becomes an emergency call due to a change in the patient's medical condition; or, in a medical emergency, as determined by a physician, to transport blood, or any therapeutic device, accessory to such device, or tissue or organ for transplant.

(x) Emergency Medical Technician. "Emergency Medical Technician" (EMT) means an individual trained in all facets of basic life support and who has a valid certificate, in accordance with the provisions contained in Title 22, California Code of Regulations, Division 9, Chapter 2, et seq.

(y) Emergency Medical Services Aircraft. "Emergency Medical Services Aircraft" means an aircraft utilized for the purpose of prehospital emergency patient response and transport. EMS aircraft includes air ambulances and all categories of rescue aircraft.

(z) Emergency Service. "Emergency Service" means the service performed in response to an emergency call. Emergency service also includes transportation of a patient, regardless of a presumption of death of the patient, or transportation of a body for the purpose of making an anatomical gift, as provided in Section 12811 of the California Vehicle Code, and the California Uniform Anatomical Gift Act.

(aa) Gurney Van Transport. "Gurney Van Transport" means any vehicle specially constructed, modified or equipped and/or used for the purpose of transporting patients who cannot travel in an upright, sitting position and for whom the need for any medical care, treatment or procedure other than pre-established devices solely maintained by the patient is not required, likely or foreseeable.

(bb) Jurisdiction of Origin. "Jurisdiction of Origin" means the local EMS jurisdiction within which the authorized air ambulance or rescue aircraft is operationally based.

(cc) Medical Flight Crew. "Medical Flight Crew" means the individual(s), excluding the pilot, specifically assigned to care for the patient during aircraft transport.

(dd) Non-emergency Call. "Non-emergency Call" means an ambulance call for a purpose other than an emergency.

(ee) Non-Emergency Medical Transport Provider. "Non-Emergency Medical Transport Provider" means any person, firm, partnership, corporation, municipality, government agency or other organization which furnishes or offers to furnish non emergency medical transport service.

(ff) Non-emergency Medical Transport Provider's Permit. "Non-emergency Medical Transport Provider's Permit" means written authorization by the County to provide non-emergency medical transport service.

(gg) Non-Emergency Medical Transport Service. "Non-Emergency Medical Transport Service" means the activity, business or service, for hire, profit, or otherwise, of being prepared for, responding to requests for and/or transporting for medical purposes one or more persons by gurney van, or wheelchair van on or on any of the streets, roads, highways, alleys or any public way or place in the unincorporated areas of the County.

(hh) Non-emergency Medical Vehicles. "Non-emergency Medical Vehicles" means any vehicle which has been specially constructed, modified, or equipped and/or used for the purpose of transporting clients either for profit or non-profit, who are wheelchair users or bed confined under the following categories:

(1) Hospitals

(2) Convalescent homes

(3) Retirement homes

(4) All homes receiving funding for the board and care of residents living in those homes

(5) Non-emergency medical transport providers

(6) Nutrition centers

(7) Senior citizens

(8) Any other like social service categories not regulated by the California Highway Patrol, Metropolitan Transit System.

(ii) Paramedic. "Paramedic" means an individual whose scope of practice is to provide advanced life support as according to the standards prescribed by Title 22, California Code of Regulations, Division 9, Chapter 4, et seq., who has a valid certificate pursuant to that division, and is accredited by the Medical Director of the County of San Diego EMS Branch.

(jj) Permit Officer. "Permit Officer" means the Director of the County of San Diego Health and Human Services Agency (HHSA) or his/her designee.

(kk) Primary Response Air Ambulance. "Primary Response Air Ambulance" means air ambulances permitted to respond to prehospital scene locations. This rotor aircraft has been specifically constructed, modified or equipped as an air ambulance, permitted by the County of San Diego, EMS Branch for the primary purposes of responding to emergency calls and/or transporting critically ill or injured patient(s). Primary Response Air Ambulances shall be authorized to routinely respond to medical emergencies in the field at the request of public safety or other designated officials.

(ll) Private Call. "Private Call" means any call for services that is received by an ambulance provider other than through the 9-1-1 system.

(mm) Rescue Aircraft. "Rescue Aircraft" means an aircraft whose usual function is not prehospital emergency patient transport but which may be utilized, in compliance with local EMS policy, for prehospital emergency patient transport when use of an air or ground ambulance is inappropriate or unavailable. Rescue aircraft includes ALS rescue aircraft, BLS rescue aircraft and Auxiliary rescue aircraft.

(nn) Special Events. "Special Events" means any event, including, but not limited to concerts, sporting events or contests, and other events that place a grouping or gathering of people in one general locale sufficient in number, or subject to activity that creates the need to have one or more ambulances pre-positioned at the event. Ambulances at these events shall be permitted by the County of San Diego with an Emergency Medical Transport Permit.

(oo) Vehicle Permit. "Vehicle Permit" means a permit decal or certificate issued by the Permit Officer indicating that an ambulance or other permitted vehicle has passed inspection according to the standards established herein. This permit is required for each vehicle operated in addition to the ambulance operator's permit.

CHAPTER 2. GROUND AMBULANCE/CRITICAL CARE TRANSPORT PERMITS

SEC. 610.201. REQUIRED.

No person (either as owner, agent or otherwise) shall furnish, operate, conduct, maintain or otherwise engage in, or offer or profess to engage in ambulance service or critical care transport in the unincorporated areas of the County unless the person holds a currently valid Ambulance Provider's and/or Critical Care Transport Provider's Permit.

All non-local contracted providers must also be permitted by the County of San Diego and cannot provide transportation unless requested via mutual aid or for purposes of continuation of care.

SEC. 610.202. APPLICATION -- FORMS.

Each application for an Ambulance Provider's and/or Critical Care Transport Provider's Permit shall be made upon forms prescribed by the County.

SEC. 610.203. APPLICATION -- REQUIRED DATA.

Each applicant who desires an Ambulance Provider's and/or Critical Care Transport Provider's Permit shall submit the following data:

(a) Applicant's name and business address;

(b) The name(s) under which the applicant has engaged, does, or proposes to engage in ambulance service;

(c) The names and addresses of the applicant, registered owner(s), partner(s), officer(s), director(s) and all shareholders who hold or control 10% or more of the stock of the applicant;

(d) A statement of fact and good faith (one from principal owner and one from designated physician medical director if CCT service is provided);

(e) A copy of the designated physician medical director's State of California physician's/surgeon's license (only from CCT Provider);

(f) A statement of legal history, one each from the applicant, all registered owner(s), partner(s), officer(s), director(s), and controlling shareholder(s), including criminal convictions and civil judgments;

(g) An application for a criminal history report, one each from the applicant, all registered owner(s), partner(s), officer(s), director(s), and controlling shareholder(s);

(h) A resume specifying the education, training, and experience of the applicant in the care and transportation of patients;

(i) A description of the applicant's training and orientation programs for ambulance attendants, dispatchers, ambulance drivers, and maintenance staff;

(j) Evidence of insurance coverage as required by Sections 610.706, 610.707;

(k) A list of the full names and California physician and surgeon license numbers of all other physicians employed by provider;

(l) A list of the full names and California Registered Nurse license numbers including expiration dates of all registered nurses employed by the provider;

(m) A description of the locations from which ambulance services will be offered, noting the hours of operation;

(n) A description of the applicant's program for maintenance of the vehicles;

(o) A description of each ambulance including: the make, model, year of manufacture, mileage and vehicle identification number;

(p) A list of the full names of all ambulance drivers and attendants which identifies each persons' EMT certification number or paramedic license number and issuing jurisdiction, CPR Certification, California Driver's License, and Ambulance Driver's Certificate, and expiration date of each;

(q) For applicants that are privately owned ground ambulance companies, an affirmation that the applicant possesses and maintains currently valid California Highway Patrol Inspection Reports for each vehicle listed in the application, and a copy of the license issued by the Commissioner of the California Highway Patrol (in accordance with Section 2501 of the California Vehicle Code);

(r) The applicant may be required to submit such other information, as the Permit Officer deems necessary for determination of compliance with this Division.

(s) Proof of financial viability with ability to operate for a minimum of 6 months, with profit-loss information provided and proof of current tax payment status.

SEC. 610.204. APPLICATION -- ISSUANCE.

Within 30 days of receipt of an application, the Permit Officer shall make a determination regarding the issuance of the applied for permit.

SEC. 610.205. APPLICATION -- DENIAL.

The Permit Officer may order the denial of an application for a permit or a renewal thereof if he/she finds:

(a) The applicant, or any partner, officer, director, representative or agent thereof has knowingly made a false, misleading or fraudulent statement of a material fact in the application or in any reports or other documents required to be filed with the Permit Officer pursuant to this Division;

(b) The applicant is not the legal owner or operator of the ambulance or critical care transport service;

(c) The applicant was previously the holder of a permit issued under this Division, which permit has been suspended or revoked and the terms or conditions of the suspension or revocation have not been fulfilled;

(d) The applicant has acted in the capacity of a permitted person or firm under this Division without having a valid permit therefore;

(e) The applicant has entered a plea of guilty to, or been found guilty of, or been convicted of a felony or a crime involving moral turpitude; or

(f) The applicant has violated any provisions of this Division or any provisions of any other ordinance or law relating to ambulance or critical care transport services.

The Permit Officer shall notify the applicant in writing of the denial within 30 days of the receipt of the completed application. Such notice shall be either sent by mail to the applicant's last address provided in the application or be personally delivered, and shall set forth the reasons for such denial of application. Whenever an application for a Permit is denied, the applicant may request a hearing from the Permit Officer. Such request shall be made in writing and filed with the Permit Officer within ten days of personal delivery of the notice of denial. If the notice of denial is mailed, applicant has an additional five days to file a hearing request. The hearing shall be held not more than 20 days from the date of receipt of said request for hearing and the Permit Officer should notify the applicant of the time and place of such hearing. The hearing shall be conducted in the manner prescribed in Title 1, Division 6, Chapter 1 of the San Diego County

Code of Regulatory Ordinances. The applicant shall also be entitled to the appeal provisions of Section 610.405 following the hearing before the Permit Officer. Upon denial of an application, re-application will not be considered until after a minimum of twelve months after the date of initial denial.

SEC. 610.206. DECISIONS: FINALITY.

The decision of the Permit Officer rendered pursuant to this Chapter shall be final, unless an appeal is filed with the Clerk of the Board of Supervisors.

SEC. 610.207. TERM.

Provider permits issued under this Division shall be valid for a period of one year unless earlier suspended, revoked or terminated.

(a) Vehicle permits shall expire concurrently with provider permit regardless of when the permit was issued.

(b) Partial year vehicle permits shall be issued for vehicles or aircraft put into operation within eleven months or less of current provider's permit expiration. Partial year vehicle permits will be issued at one twelfth the cost of a full year vehicle permit for each month remaining on the Ambulance Provider's Permit.

SEC. 610.208. APPLICATION-- CHANGE OF NATURE OR SCOPE OF OPERATIONS.

Each applicant and Permit Owner shall report to the Permit Officer any change in the nature or scope of operations, including, but not limited to, changes in ownership, address, contact information, vehicle maintenance program, and any significant training and orientation programs within ten days of the effective date of the change.

SEC. 610.209. TRANSFER OF PROVIDER PERMIT.

A Provider's Permit may be transferred to another person, partnership, corporation, or other entity ("Permit Transferee"). If the Transferee is another San Diego County Permitted Provider, then the Transferee shall complete a Permit Transfer Form. If the Transferee is not another San Diego County Permitted Provider, then the Transferee shall complete a new application for an Ambulance Provider's Permit.

The Permit Transferee shall notify the Permit Officer of the transfer at least 30 days in advance of the effective date of such transfer. Within ten days of receipt of the notification, the Permit Officer shall deliver to the transferee a notice of requirement for either a new Permit Transfer Form or a new application for an Ambulance Provider's Permit. Each transferee who

submits an application for an Ambulance Provider's Permit under this section shall submit the same required information as is also provided in section 610.203 of this document.

(a) In the event one permitted provider acquires the operations of another permitted provider, the acquiring provider shall submit to the Permit Officer within 30 days, a complete listing of all vehicles acquired or liquidated.

(b) Vehicles transferred from one permitted provider to another permitted provider as a consequence of a merger/acquisition, shall have the existing County Health and Human Services Agency (HHSA) decal retired, removed and returned to the Permit Officer. Each vehicle shall be submitted for reinspection (fees prorated with respect to subsequent operator's permit cycle) and issued a new decal following reinspection by the Permit Officer, prior to being placed in service by the subsequent owner.

SEC. 610.210. RENEWAL OF PERMIT.

Applicants for renewal of an Ambulance Provider's and/or Critical Care Transport Provider's Permit under this Division shall annually file with the Permit Officer an application in writing, on a form furnished by the Permit Officer, which shall include any changes in the information required in Section 610.203 hereof from the current application on file. The application for renewal shall be filed with the Permit Officer at least 30 days prior to the expiration date of the current permit, and be accompanied by the appropriate renewal fee. Renewal of an Ambulance Provider's or Critical Care Transport Provider's Permit shall require conformance with all requirements of this Ordinance as upon issuance of an initial permit. Nothing in this Ordinance shall be construed as requiring the automatic renewal of a Permit upon its expiration and the burden of proof respecting compliance of all the requirements of this Division and of entitlement of a Permit shall be with the applicant for renewal.

SEC. 610.211. TEMPORARY PERMIT.

The Permit Officer may authorize a temporary permit of up to 30 event days to a ground ambulance provider based outside the County, properly permitted in another county and properly licensed by the California Highway Patrol for special events. Temporary Permittees shall meet all requirements of this Division.

SEC. 610.212. ABANDONMENT OF PROVIDER PERMIT.

Upon closure, sale or liquidation of business, provider shall remove all HHSA decals from vehicles and return the decals to the EMS Branch within 30 days. Provider shall also return, within 30 days, all other County owned property (in good operating condition) issued or loaned to the provider or be liable for the cost of same.

CHAPTER 3. NON-EMERGENCY MEDICAL TRANSPORT PERMITS

SEC. 610.301. PERMIT REQUIRED.

No person (either as owner, agent or otherwise) shall furnish, operate, conduct, maintain, or otherwise engage in or advertise, offer or profess to engage in non-emergency medical transport service within the unincorporated areas of the County unless the person holds a currently valid County of San Diego Non-Emergency Medical Transport Permit.

Providers who are currently permitted by the Metropolitan Transit System (MTS), or any other incorporated municipality, will be considered as having met the requirements of this Division and issued a County of San Diego Non-Emergency Medical Transport Provider's Permit upon submitting the appropriate documents outlined in Section 610.303 of this ordinance.

SEC. 610.302. APPLICATION -- FORMS.

Each application for a Non-Emergency Medical Transport Provider's Permit shall be made upon forms prescribed by the County.

SEC. 610.303. APPLICATION -- REQUIRED DATA.

Applications may be approved by two separate processes by which persons seeking the required County of San Diego Non-emergency Medical Transport Provider's Permit may apply. Potential providers may apply for a Permit by Endorsement of the MTS or any other municipality's Permit or a Permit by Direct Application to the County. Each applicant for a Non-Emergency Medical Transport Provider's Permit shall submit the following data:

(a) Permit by Endorsement of the MTS Permit or any other municipality's permit

(1) Copy of completed and approved permit application;

(2) Applicant's name and business address;

(3) The name(s), under which the applicant has, does, or proposes to engage in non-emergency medical transport service;

(4) The name and addresses of the applicant, registered owner(s), partner(s), officer(s), director(s) and all shareholders who hold or control 10% or more of the stock of the applicant;

(5) A statement of fact and good faith from the principal owner;

(6) A Certificate of Consent to Self Insure issued by the California State Director of Industrial Relations, or a Certificate of Worker's Compensation Insurance as required in section 610.805;

(7) Proof of liability insurance as required in Section 610.804;

(8) A description of each gurney van and/or wheelchair van including the make, model, year of manufacture, mileage and vehicle identification number;

(9) A description of the applicant's training and orientation programs for transport personnel, including proof of ability to staff each non-emergency medical transport vehicle with persons possessing at a minimum a current CPR completion certificate and an American Red Cross First Aid Certificate, or equivalent;

(10) An accompanying Permit fees pursuant to Section 610.601 of this Division;

(11) The applicant may be required to submit such other information as the Permit Officer deems necessary for determination of compliance with this Division; or,

(12) An accompanying Permit fees pursuant to Section 610.601 of this Division;

(13) The applicant may be required to submit such other information as the Permit Officer deems necessary for determination of compliance with this Division;

or,

(b) Permit by Direct Application to the County (if MTS jurisdiction is not applicable):

(1) Completed County non emergency vehicle permit application;

(2) Applicant's name and business address;

(3) The name and addresses of the applicant, registered owner(s), partner(s), officer(s), director(s), and all the shareholders who hold or control 10% or more of the stock of the applicant;

(4) A statement of fact and good faith from the principal owner;

(5) A statement of legal history, one each from the applicant, all registered owner(s), partner(s), officer(s), director(s), and controlling shareholder(s), including criminal convictions and civil judgments;

(6) An application for a criminal history report, one each from the applicant, all registered owner(s), partner(s), officer(s), director(s), controlling shareholder(s), including criminal convictions and civil judgments. Each application for criminal history report will be processed by the San Diego County Sheriff's Department. Each person required to submit an application for criminal history report will also be required to complete a Department of Justice fingerprint card;

(7) A resume specifying the education, training, and experience of the applicant in the business of transportation services;

(8) A description of the applicant's program for maintenance of vehicles;

(9) A description of the applicants training and orientation programs for transport personnel, including proof of ability to staff each non-emergency medical transport vehicle with person(s) possessing, at a minimum, a current American Red Cross First Aid Certification, or equivalent;

(10) A Certificate of Consent to Self Insure issued by the California State Director of Industrial Relations, or a Certificate of Worker's Compensation Insurance as required in Section 610.805;

(11) Proof of liability insurance as required in Section 610.804;

(12) A description of each non-emergency medical transport vehicle including the make, model, year of manufacture, mileage and vehicle identification number;

(13) A roster of all transport personnel that lists the type and expiration date of each person's standard first aid certification and each person's California driver's license number and expiration date;

(14) The accompanying Permit fee pursuant to Section 610.601 of this Division;

(15) The applicant may be required to submit such other information as the Permit Officer deems necessary for determination of compliance with this Division;

(16) The applicant shall allow the Permit Officer or his/her designee to inspect all vehicles to be used for non-emergency medical transport services.

(17) Proof of financial viability with an ability to operate for a minimum of 6 months, with profit-loss information provided and proof of current tax payment status.

(18) Proof of business license(s) for all areas and/or cities where applicant will operate.

SEC. 610.304. APPLICATION -- PERMIT ISSUANCE.

Within 30 days of receipt of a completed County application, the Permit Officer shall make a determination of whether the applicant meets all requirements of this Division.

SEC. 610.305. APPLICATION -- DENIAL.

The Permit Officer may order the denial of an application for a permit or a renewal thereof if he/she finds:

(a) The applicant, or any partner, officer, director, representative or agent thereof has knowingly made a false, misleading or fraudulent statement of a material fact in the application or in any reports or other documents required to be filed with the Permit Officer pursuant to this Division;

(b) The applicant is not the owner or operator of the non-emergency medical transport service;

(c) The applicant was previously the holder of a permit issued under this Division which has been suspended or revoked and the terms or conditions of the suspension or revocation have not been fulfilled;

(d) The applicant has acted in the capacity of a permitted person of firm under this Division without having a valid permit therefore;

(e) The applicant has entered a plea of guilty to, or been found guilty of, or been convicted of a felony or a crime involving moral turpitude; or

(f) The applicant has violated any provisions of this Division or any provisions of any other ordinance or law relating to or regulating non-emergency medical transport services.

The Permit Officer shall notify the applicant in writing of the denial within 30 days of the receipt of the application. Such notice shall be either sent by mail to the applicant's last address provided in the application or be personally delivered, and shall set forth the reasons for such denial of application.

Whenever an application for a Permit is denied, the applicant may request a hearing from the Permit Officer. Such request shall be made in writing and filed with the Permit Officer within ten days of personal delivery of the notice of denial. If the notice of denial is mailed, applicant has an additional five days to file a hearing request. The hearing shall be held not more than 20 days from the date of receipt of said request for hearing and the Permit Officer should notify the

applicant of the time and place of such hearing. The hearing shall be conducted in the manner prescribed in Title 1, Division 6, Chapter 1 of the San Diego County Code of Regulatory Ordinances. The applicant shall also be entitled to the appeal provisions of Section 610.505 following the hearing before the Permit Officer. Once an application is denied, re-application will not be considered until after a minimum of twelve months after the date of the initial denial.

SEC. 610.306. DECISIONS --FINALITY.

The decision of the Permit Officer rendered pursuant to this Chapter shall be final, unless an appeal is filed with the Clerk of the Board of Supervisors.

SEC. 610.307. TERM.

Provider permits issued under this Division shall be valid for a period of one year unless earlier suspended, revoked or terminated.

SEC. 610.308. APPLICATION -- CHANGE OF DATA.

Each applicant and Permit Owner shall report to the Permit Officer any change in the data required in Section 610.303 within ten days of the effective date of the change.

SEC. 610.309. APPLICATION -- TRANSFER OF PROVIDER PERMIT.

A Provider's Permit may be transferred to another person, partnership, corporation, or other entity ("Permit Transferee"). If the Transferee is another San Diego County Permitted Provider, then the Transferee shall complete a Permit Transfer Form. If the Transferee is not another San Diego County Permitted Provider, then the Transferee shall complete a new application for an Ambulance Provider's Permit.

The Permit Transferee shall notify the Permit Officer of the transfer at least 30 days in advance of the effective date of such transfer. Within ten days of receipt of the notification, the Permit Officer shall deliver to the transferee a notice of requirement for either a new Permit Transfer Form or a new application for an Ambulance Provider's Permit. Each transferee who submits an application for an Ambulance Provider's Permit under this section shall submit the same required information as is also provided in section 610.303 of this document.

(a) In the event one permitted provider acquires the operations of another permitted provider, the acquiring provider shall submit to the EMS Permit Officer within 30 days, a complete listing of all vehicles acquired (put into operation or liquidated).

(b) Vehicles transferred from one permitted provider to another permitted provider as a consequence of a merger/acquisition, must have the existing County Health and Human

Services Agency (HHSA) decal removed and returned to the County of San Diego EMS Branch. New HHSA decals shall be issued for all vehicles placed into operation.

SEC. 610.310. ABANDONMENT OF PROVIDER PERMIT.

Upon closure, sale or liquidation of business, provider must remove all HHSA decals from vehicles and return the decals to the County of San Diego EMS Branch.

SEC. 610.311. RENEWAL OF PROVIDER PERMIT.

Applicants for renewal of a Non-Emergency Medical Transport Provider's Permit under this Division shall annually file with the Permit Officer an application in writing, on a form furnished by the Permit Officer, which shall include any changes in the information required in Section 610.303. The application for renewal shall be submitted to the Permit Officer at least 30 days prior to the expiration of the current permit and be accompanied by a renewal fee. Renewal of a Non-Emergency Medical Transport Provider's Permit shall require conformance with all requirements of this Division as upon issuance of the initial permit. Nothing in this Division shall be construed as requiring automatic renewal of a Permit upon its expiration and the burden of proof respecting compliance of all the requirements of this Division and of entitlement of a Permit shall be with the applicant for renewal.

CHAPTER 4. AIR AMBULANCE TRANSPORT PERMITS

SECTION 610.401. REQUIRED.

No person (either as owner, agent or otherwise) shall furnish, operate, conduct, maintain or otherwise engage in, or offer or profess to engage in air ambulance service in the unincorporated areas of the County unless the person holds a currently valid Air Ambulance Provider's Permit.

SECTION 610.402. APPLICATION -- FORMS.

Each application for an Air Ambulance Provider's Permit shall be made upon forms prescribed by the County.

SECTION 610.403. APPLICATION -- REQUIRED DATA.

Each applicant who desires an Air Ambulance Provider's Permit shall submit the following data:

(a) Applicant's name and business address;

(b) The name(s) under which the applicant has engaged, does, or proposes to engage in air ambulance service;

(c) The names and addresses of the applicant, registered owner(s), partner(s), officer(s), director(s) and all shareholders who hold or control 10% or more of the stock of the applicant;

(d) A statement of fact and good faith (one from principal owner and one from designated physician medical director);

(e) A copy of the designated physician medical director's State of California physician's/surgeon's license;

(f) A statement of legal history, one each from the applicant, all registered owner(s), partner(s), officer(s), director(s), and controlling shareholder(s), including criminal convictions and civil judgments;

(g) An application for a criminal history report, one each from the applicant, all registered owner(s), partner(s), officer(s), director(s), and controlling shareholder(s);

(h) A resume specifying the education, training, and experience of the applicant in the care and transportation of patients;

(i) A description of the applicant's program for maintenance of the vehicles;

(j) A description of the applicant's training and orientation programs for pilots, medical personnel, dispatchers, and maintenance staff;

(k) Evidence of insurance coverage as required by Sections 610.904 and 610.905;

(l) A list of the full names and California physician and surgeon license numbers of all other physicians employed by provider;

(m) A list of the full names and California Registered Nurse license numbers including expiration date of all registered nurses employed;

(n) A description of the locations from which air ambulance services will be offered, noting the hours of operation;

(o) A description of each air ambulance including the make, model, year of manufacture, vehicle identification number;

(p) A list of the full names of all other medical personnel which identifies each persons' EMT certification number or paramedic license number and issuing jurisdiction, and CPR Certification, including expiration dates;

(q) The applicant may be required to submit such other information as the Permit Officer deems necessary for determination of compliance with this Division;

(r) Proof of financial viability with ability to operate for a minimum of 6 months, with profit-loss information provided and proof of current tax payment status.

(s) Proof of required business license(s) for areas and/or cities in which applicant will operate.

SECTION 610.404. APPLICATION -- ISSUANCE.

Within 30 days of receipt of an application, the Permit Officer shall make a determination regarding the issuance of the applied for permit.

SECTION 610.405. APPLICATION -- DENIAL. The Permit Officer may order the denial of an application for a permit or a renewal thereof if he/she finds:

(a) The applicant, or any partner, officer, director, representative or agent thereof has knowingly made a false, misleading or fraudulent statement of a material fact in the application or in any reports or other documents required to be filed with the Permit Officer pursuant to this Division;

(b) The applicant is not the legal owner or operator of the air ambulance service;

(c) The applicant was previously the holder of a permit issued under this Division, which permit has been suspended or revoked and the terms or conditions of the suspension or revocation have not been fulfilled;

(d) The applicant has acted in the capacity of a permitted person or firm under this Division without having a valid permit therefore;

(e) The applicant has entered a plea of guilty to, or been found guilty of, or been convicted of a felony or a crime involving moral turpitude; or

(f) The applicant has violated any provisions of this Division or any provisions of any other ordinance or law relating to air ambulance services.

The Permit Officer shall notify the applicant in writing of the denial within 30 days of the receipt of the application. Such notice shall be either sent by mail to the applicant's last address provided in the application or be personally delivered, and shall set forth the reasons for such denial of application. Whenever an application for a Permit is denied, the applicant may request a hearing from the Permit Officer. Such request shall be made in writing and filed with the Permit Officer within ten days of personal delivery of the notice of denial. If the notice of denial is mailed, applicant has an additional five days to file a hearing request. The hearing shall be held not more than 20 days from the date of receipt of said request for hearing and the Permit Officer should notify the applicant of the time and place of such hearing. The hearing shall be conducted in the manner prescribed in Title 1, Division 6, Chapter 1 of the San Diego County Code of Regulatory Ordinances. The applicant shall also be entitled to the appeal provisions of Section 610.505 following the hearing before the Permit Officer.

SEC. 610.406. DECISIONS-- FINALITY.

The decision of the Permit Officer rendered pursuant to this Chapter shall be final, unless an appeal is filed with the Clerk of the Board of Supervisors.

SEC. 610.407. TERM.

Provider permits issued under this Division shall be valid for a period of one year unless earlier suspended, revoked or terminated.

(a) Vehicle permits shall expire concurrently with provider permit regardless of when vehicle permit was issued.

(b) Partial year permits shall be issued for aircraft put into operation within eleven months or less of current providers permit expiration. Partial year permits will be issued at one twelfth the cost of a full year permit for each month remaining on the Air Ambulance Provider's Permit.

SEC. 610.408. APPLICATION -- CHANGE OF NATURE OR SCOPE OF OPERATIONS.

Each applicant and Permit Owner shall report to the Permit Officer any change in the nature or scope of operations, including, but not limited to, changes in ownership, address, contact information, vehicle maintenance program, and any significant training and orientation programs within ten days of the effective date of the change.

SEC. 610.409. TRANSFER OF PROVIDER PERMIT.

A Provider's Permit may be transferred to another person, partnership, corporation, or other entity ("Permit Transferee").

The Permit Transferee shall notify the Permit Officer of the transfer at least 30 days in advance of the effective date of such transfer. Within ten days of receipt of the notification, the Permit Officer shall deliver to the transferee a notice of requirement for an Air Ambulance Provider's Permit. Each applicant who desires to receive transfer for an Air Ambulance Provider's Permit shall submit the same required information as also provided in section 610.403 of this document.

(a) In the event one permitted provider acquires the operations of another permitted provider, the acquiring provider shall submit to the Permit Officer within 30 days, a complete listing of all vehicles acquired or liquidated.

(b) Vehicles transferred from one permitted provider to another permitted provider as a consequence of a merger/acquisition, shall have the existing County Health & Human Services Agency (HHSA) decal retired, removed and returned to the Permit Officer. Each vehicle shall be submitted for reinspection (fees prorated with respect to subsequent operator's permit cycle) and issued a new decal following reinspection by the Permit Officer, prior to being placed in service by the subsequent operator.

SEC. 610.410. RENEWAL OF PERMIT.

Applicants for renewal of an Air Ambulance Provider's Permit under this Division shall annually file with the Permit Officer an application in writing, on a form furnished by the Permit Officer, which shall include any changes in the information required in Section 610.203 hereof from the current application on file. The application for renewal shall be filed with the Permit Officer at least 30 days prior to the expiration date of the current permit, and be accompanied by the appropriate renewal fees. Renewal of an Air Ambulance Provider's Permit shall require conformance with all requirements of this Ordinance as upon issuance of an initial permit. Nothing in this Ordinance shall be construed as requiring the automatic renewal of a Permit upon its expiration and the burden of proof respecting compliance of all the requirements of this Division and of entitlement of a Permit shall be with the applicant for renewal.

SEC. 610.411. ABANDONMENT OF PROVIDER PERMIT.

Upon closure, sale or liquidation of business, provider shall remove all HHSA decals from vehicles and return the decals to the EMS Branch within 30 days. Provider shall also return, within 30 days, all other County owned property (in good operating condition) issued or loaned to the provider or be liable for the cost of it.

CHAPTER 5 PERMIT SUSPENSION OR REVOCATION

SEC. 610.501. PERMIT SUSPENSION OR REVOCATION.

In the event that any person holding a permit issued pursuant to this Division shall violate or cause or permit to be violated any of the provisions of this Division, or any provisions of any other ordinance or law relating to air ambulance, ambulance, critical care, or non-emergency transportation services, or for any reason for which the permit application could have been denied, the Permit Officer may suspend or revoke the permit after the permittee has been given the opportunity for a hearing as provided for in Section 610.502.

The Permit Officer shall post for a period of ten days the name and business address of any permittee receiving a notice of suspension or revocation along with the fact that any interested member of the general public can submit information regarding the proposed suspension or revocation. Such information shall be submitted in writing and shall be delivered to the office of the Permit Officer within five days of the last day of posting. The names and business addresses shall be posted in the office of the Permit Officer.

SEC. 610.502. HEARINGS -- PERMIT OFFICER.

In any case where the Permit Officer determines that a permit issued pursuant to this Division should be suspended or revoked, the Permit Officer shall prepare a written notice of suspension or revocation, which includes a statement of the proposed action, a concise explanation of the reasons for the proposed action, the statutory basis relied upon for such action, and an explanation of the permittee's right to request a hearing from the Permit Officer. Such notice shall be sent by certified mail to the permittee's last address provided in the application or be personally delivered, at least ten days prior to the effective date of such action. If within five days after receipt of such mailing or delivery the permittee or an authorized representative requests in writing a hearing from the Permit Officer, the Permit Officer shall set a hearing and shall set forth in writing and send to the permittee by means of certified mail or hand delivery, notice of the time, date, and place of such hearing. The hearing shall be held not more than 30 days from the date of receipt of said request for hearing. The hearing shall be conducted by a person designated by the Permit Officer. The person designated, as Hearing Officer shall not have been connected in any manner in the decision to take the proposed action, which is the subject of such hearing. No hearings shall be continued except upon hearing good cause.

The hearing shall be conducted to determine the existence of any facts which constitute grounds for the suspension or revocation of the permit. The permittee may have the assistance of counsel or may appear by counsel and shall have the right to present evidence. In the event that the permittee, or counsel representing the permittee fails to appear at the hearing, the evidence of the existence of facts, which constitute grounds for the suspension, or revocation of the permit shall be considered unrefuted. The decision of the Hearing Officer shall be based solely on the evidence presented at the hearing. Upon conclusion of the hearing, the Hearing Officer may give a verbal decision; provided, however, that in the discretion of the Hearing Officer, the decision

may be delayed and given in writing within five days. In any case where a verbal decision is given at the close of the hearing, the Hearing Officer shall confirm the decision in writing within five days. The written decision shall set forth the findings of fact and the reasons for the decision and a copy mailed to the permittee or an authorized representative. The decision of the Hearing Officer shall be posted in the office of the Permit Officer for a period of five days along with the available procedures for appeal. A hearing held under this section or the failure of the permittee to request such a hearing or to appear at the scheduled time for such hearing in no way deprives the permittee of the right to appeal as provided for in Section 610.505 of this chapter.

SEC. 610.503. STAY OF SUSPENSION OR REVOCATION.

The effect of a decision of the Hearing Officer to suspend or revoke a permit shall be stayed while an appeal to the Board of Supervisors is pending or until the time for filing such appeal has expired. There shall be no stay of the effect of the decision of the Hearing Officer upholding the denial of any permit.

SEC. 610.504. EXCEPTION TO HEARING PROCEDURE.

When, in the opinion of the Permit Officer, there is a clear and immediate threat to the safety and protection of the public, the Permit Officer may suspend a permit without a hearing. The Permit Officer shall prepare a written notice of suspension, which includes a statement of the action; the statutory basis relied upon for such action, and an explanation of the permittee's right to request a hearing from the Permit Officer. Such notice shall be either sent by certified mail to the permittee's last address provided in the application or be personally delivered. The permittee may request a hearing from the Permit Officer within five days of receipt of notification that the permit has been suspended. The Permit Officer shall notify the permittee of the time and place of such hearing and the hearing shall be conducted in the manner prescribed in Section 610.402 of this chapter. The hearing shall be held not more than 15 days from the date of receipt of said request for hearing. Following the hearing the permittee affected may appeal the decision in the manner prescribed in Section 610.405 of this chapter. The decision shall not be stayed while such hearing or appeal is pending.

SEC. 610.505. APPEAL.

Within ten days after receipt of the decision of the Hearing Officer any permittee affected by the decision may appeal such decision by filing with the Clerk of the Board of Supervisors a written appeal briefly setting forth the reasons why such denial, suspension, revocation or other decision is not proper.

Upon receipt of such written appeal, the Clerk of the Board of Supervisors shall assign the appeal to a Hearing Officer selected by the Clerk on a rotating basis from a list of qualified Hearing Officers approved by the Board of Supervisors. The Hearing Officer so assigned shall

schedule a date for hearing within ten days after the date of assignment of the appeal by the Clerk. The hearing shall be held not more than 30 days from time of assignment by the Clerk to the Hearing Officer. At least ten days prior to the date of the hearing on the appeal the Clerk shall notify the appellant and the Permit Officer of the date and place of the hearing. The Clerk of the Board shall also have posted in the office of the Permit Officer the time and place set for the appeal for a period of five days prior to the date of such appeal. The Hearing Officer is authorized to issue subpoenas, to administer oaths and to conduct the hearing on the appeal. At such hearing the Permit Officer and the appellant may present evidence relevant to the denial, suspension, revocation or other decision of the Permit Officer. The Hearing Officer shall receive evidence and shall rule on the admissibility of evidence and on questions of law. At the hearing any person may present evidence in opposition to, or in support of, appellant's case.

At the conclusion of the hearing, the Hearing Officer may uphold the denial, suspension, revocation or other decision of the Permit Officer, or the Hearing Officer may allow that which has been denied, reinstate that which has been suspended or revoked, or modify or reverse any other Permit Officer's decision, which is subject of the appeal. The Hearing Officer shall, within five days of the announcement of a decision, file with the Clerk of the Board of Supervisors written findings of fact and conclusions of law and the decision. The decision of the Hearing Officer is final when filed with the Clerk.

SEC. 610.506. EVIDENCE.

(a) Oral evidence shall be taken only on oath or affirmation.

(b) Each party shall have these rights: to call and examine witnesses; to introduce exhibits; to cross examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called the witness to testify; and to rebut the evidence against the party. If respondent does not testify in his own behalf, the respondent may be called and examined as if under cross-examination.

(c) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions, hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions and irrelevant and unduly repetitious evidence shall be excluded.

(d) The hearing shall be conducted in the English language. The proponent of any testimony to be offered by a witness who does not proficiently speak the English language shall provide an interpreter, approved by the Hearing Officer conducting the proceedings as proficient in the English language and the language in which the witness will testify, to serve as interpreter

during the hearing. The cost of the interpreter shall be paid by the party providing the interpreter. The Board of Supervisors may compile and publish a list of interpreters known to be proficient in various languages. Any person whose name appears upon such list shall be deemed to be approved by the Hearing Officer hearing the case.

CHAPTER 6. FEES

SEC. 610.601. FEES.

The County Board of Supervisors shall set the Application and Permit fees for ambulance services, air ambulance services, critical care transport services, and non-emergency transport services, by resolution. The fees shall not exceed the reasonable costs of administering and enforcing this Division as determined by the Board of Supervisors.

CHAPTER 7. OPERATIONAL STANDARDS AND REQUIREMENTS

GROUND AMBULANCE AND CRITICAL CARE TRANSPORT SERVICES

SEC. 610.701. AMBULANCE DRIVERS AND AMBULANCE ATTENDANTS.

Any ambulance attendant or ambulance driver utilized by a Permittee shall be at least 18 years of age; shall be trained and competent in the proper use of all emergency ambulance equipment; shall hold current certification as an Emergency Medical Technician (EMT) or licensure as a Paramedic in California; or be licensed as a physician or registered nurse in the State of California; and shall demonstrate compliance with all applicable State laws and regulations.

All ambulance attendants and ambulance drivers are required to keep a copy of requisite certification(s)/license(s) in their immediate possession while on duty.

SEC. 610.702. UNIFORM AND APPEARANCE.

Each person providing ambulance service or critical care transportation service under this Ordinance shall staff each ambulance with appropriate personnel who shall wear clean uniforms that identify employer or sponsoring agency, have visible identification of name and certification level, and comply with the requirements of this Ordinance.

SEC. 610.703. DISPATCHERS.

Each person providing ambulance service or critical care transportation service under this Division shall assign at least one person or an agency to be responsible for receiving calls and dispatching ambulances.

SEC. 610.704. CHP PERMIT.

Except for those ambulances operated by a governmental agency, every ambulance shall carry a current and valid California Highway Patrol Inspection Permit authorizing the use of the vehicle as an ambulance.

SEC. 610.705. INSPECTION.

The ambulance provider or critical care transport provider shall allow the Permit Officer or his/her designee to inspect, on an announced or unannounced basis, all ambulances used to provide ambulance service. The inspections should be held, whenever possible, during normal business hours; provided, however, that the inspection of an ambulance will be stopped should the ambulance be needed to respond to an Emergency Call. If, at any time during an inspection, an agency representative, officer, director or agent thereof knowingly makes a false, misleading or fraudulent statement or engages in fraudulent behavior, the Permit Officer may order the suspension or revocation of the ambulance permit as provided for in Section 610.501. The purpose of such inspections may include, but shall not be limited to, determining if:

(a) the ambulance is properly maintained and equipped for the provision of Ambulance Service;

(b) the description of the ambulance, required by Section 610.203(o) is accurate;

(c) the ambulance contains two-way radios; the radios are in good working order and that the radios are compatible with the County's emergency medical communications system;

(d) if the ambulance is used for critical care transport, that the communication system allows the ambulance driver and ambulance attendant to communicate with the medical staff at both the discharging and receiving facilities;

(e) the ambulance will be properly equipped with fully-functioning heat and air conditioning in patient care area and driver compartment;

(f) the permitted agency is providing services at the care level authorized by the permit issued.

SEC. 610.706. INSURANCE.

Every applicant for an ambulance Provider's and/or Critical Care Transport Provider's Permit shall obtain and maintain in full force and effect liability insurance, including, but not limited to, comprehensive auto liability, each with a combined single limit of not less than $3,000,000 per occurrence, and professional liability, with a limit of not less than $3,000,000 per claim.

SEC. 610.707. WORKERS' COMPENSATION INSURANCE REQUIREMENT.

The County Health and Human Services Agency shall not grant any Ambulance Provider's and/or Critical Care Transport Provider's Permit unless the applicant files with the Permit Officer a policy of Workers' Compensation Insurance or a Certificate of Consent to Self Insure issued by the California State Director of Industrial Relations, applicable to all employees of the applicant. The Permittee shall thereafter maintain in full force and affect such coverage during the term of the Permit. Certificates or copies evidencing such coverage shall be provided to and maintained by the County Health and Human Services Agency. Workers' compensation and employers' liability insurance shall comply with California Labor Code requirements.

SEC. 610.708. SERVICE REQUIREMENTS.

(a) Each ambulance provider shall provide ambulance service on a continuous 24 hours per day basis, excluding circumstances beyond the control of the provider.

(b) If for any reason an ambulance provider stops having the capability of providing ambulance service on a continuous 24 hours per day basis, any advertisement of emergency services which have not been discontinued will stop and immediate notification will be given to the Permit Officer.

(c) Special event permittees shall be exempt from the requirement of 24 hours per day provision of service.

(d) Each ambulance provider will cooperate with the ambulance coordinator during a declared Annex-D event to provide adequate transporting units for the incident.

SEC. 610.709. FACILITIES.

(a) Each ambulance provider shall establish at least one ambulance station within the geographic borders of San Diego County, and shall occupy this station on a continuing basis. All such locations shall comply with all applicable zoning, building, and occupational health and safety regulations.

(b) Each ambulance station shall be adequate to house the ambulance drivers and ambulance attendants required for the ambulances based at that location. There shall be facilities sufficient for all personnel in accordance with all local, state and federal regulations.

(c) The Permit Officer shall cause to be made an inspection of the facilities, equipment and methods of operation of each permittee.

SEC. 610.710. INVESTIGATIONS.

Ambulance Provider and Critical Care Transport Provider Permittees shall cooperate with the Permit Officer~~,~~ or his/her designee, in any investigations of possible violations of this Division and shall make all dispatch logs and similar dispatch records, including tape recordings, available for inspection and copying at reasonable times at the permittee's regular place of business. All tape recordings will remain available for a minimum of 90 days from the date the recordings are made.

SEC. 610.711. POLICIES/PROCEDURES/PROTOCOLS.

The Permit Officer shall make necessary and reasonable policies/procedures/protocols covering ambulance service/critical care transport service operations, equipment, personnel, and standards of dispatch for the effective and reasonable administration of this Division.

SEC. 610.712. GENERAL REQUIREMENTS.

Ambulance providers and critical care transport providers shall:

(a) Refer any Private Call of a life threatening nature or a Private Call requiring Advanced Life Support (ALS) level care where ALS care is timely, appropriate and available, to the 911 emergency operator;

(b) Dispatch an ambulance within a reasonable time in response to an emergency call from a person, unless such person is immediately advised of a delay in responding to a call;

(c) Disclose to any person requesting service those instances when an ambulance is not available for an emergency call;

(d) Provide prompt transportation of the patient to the most appropriate medical facility, licensed, equipped, and staffed to meet the needs of the patient in accordance with applicable laws, rules, regulations and policies;

(e) Record all telephone and radio calls for ambulance service and be able to provide call recordings as requested by County of San Diego during inspections or investigations. Records shall be maintained for no less than ten years; and

(f) Report all motor vehicle accidents involving an ambulance, involving bodily harm of staff or patient, or significant damage to the vehicle exceeding $500, to the County of San Diego, EMS Branch, within 24 hours of occurrence.

SEC. 610.713. PROHIBITIONS.

Ambulance providers and critical care transport providers are hereby prohibited from engaging in the following activities:

(a) Using a scanner or radio monitoring device for the purposes of responding to a call when not requested to respond to that call by an individual requesting that service or the appropriate public safety dispatch center;

(b) Permitting the operation of an ambulance in any manner contrary to the provisions of this Division or contrary to any applicable statute, rule or regulation;

(c) Performing ambulance services or services of a critical care transport provider unless possessing a current, valid Ambulance Provider's Permit or a current, valid Critical Care Transport Provider's Permit, respectively;

(d) Providing advanced life support services to any person or institution without a contract or subcontract with the County for the provision of such services;

(e) Announcing, advertising, or offering:

(1) Ambulance service without possessing a current, valid, Ambulance Provider's Permit; **or**

(2) Advanced life support services without being authorized by the County to provide such service; **or**

(3) Critical care transport services without possessing a current, valid Critical Care Transport Provider's Permit.

(f) Causing or allowing ambulances to respond to a location without first receiving a specific request for ambulance service at that location;

(g) Use of lights and sirens when responding to a non-emergency call;

(h) Operation in County of San Diego as Critical Care Transporter, BLS or ALS provider without proper authorization to do so.

CHAPTER 8. OPERATIONAL STANDARDS AND REQUIREMENTS

NON EMERGENCY MEDICAL TRANSPORTATION

SEC. 610.801. PERSONNEL STANDARDS.

(a) All persons serving as gurney van and/or wheelchair van drivers shall be at least 18 years of age and possess a current California Driver's License, designated class III/C or higher.

(b) All persons serving as gurney van and/or wheelchair van attendants shall possess at least a current CPR certificate and an American Red Cross First Aid Certification or equivalent. Attendants must have knowledge of and follow MTS rules and guidelines for public transportation.

(c) No person shall act in the capacity of a gurney van and/or wheelchair van driver or attendant if such person is required by law to register as a sex offender or has been convicted of any criminal offense involving force, duress, threat, or intimidation within the last five years.

(1) Any exempt organization or entity may request for a fee to have any driver who operates a non-emergency medical vehicle receive a pre-employment criminal records check in accordance with the standards set forth by this Division.

(2) The fee for this service shall be established in the fee document and shall cover the actual cost of administering the provisions of (c)(1).

(d) All persons acting as gurney van and/or wheelchair van drivers or attendants shall wear clean uniforms that identify employer or sponsoring agency, have visible identification of name and comply with the requirements of this Division.

SEC. 610.802. VEHICLE COMPLIANCE.

Each gurney van and/or wheelchair van used by a non emergency transport provider shall, at all times:

(a) Comply with all applicable federal, state, and local licensing requirements.

(b) Be configured, licensed and maintained pursuant to all state and federal laws, and local policies.

SEC. 610.803. VEHICLE INSPECTION.

The non-emergency transport provider will allow the Permit Officer or his/her designee to inspect, on an announced or unannounced basis, all vehicles used to provide non-emergency transport service. The inspections should be held, whenever possible, during normal business hours. If, at any time during an inspection, an agency representative, officer, director or agent thereof knowingly makes a false, misleading or fraudulent statement or engages in fraudulent behavior, the Permit Officer may order the suspension or revocation of the ambulance permit as provided for in Section 610.501. The purpose of such inspections may include, but shall not be limited to determining if the vehicle is properly maintained and equipped for the provision of non-emergency transport service.

SEC. 610.804. INSURANCE.

Every applicant for a Non-Emergency Transport Providers Permit shall obtain and maintain in full force and effect liability insurance, including, but not limited to, comprehensive auto liability, each with a combined single limit of not less than $2,000,000 per occurrence, and general liability, with a limit of not less than $2,000,000 per claim.

SEC. 610.805. WORKERS COMPENSATION INSURANCE REQUIREMENT.

The County Health and Human Services Agency shall not grant a Non-Emergency Medical Transport Provider's Permit unless the applicant files with the Permit Officer a policy of Workers' Compensation Insurance or a Certificate of Consent to Self Insure issued by the California State Director of Industrial Relations, applicable to all employees of the applicant. The Permittee shall thereafter maintain in full force and affect such coverage during the term of the Permit. Certificates or copies evidencing such coverage shall be provided to and maintained by the County Health and Human Services Agency.

SEC. 610.806. POLICIES/PROCEDURES/PROTOCOLS.

The Permit Officer shall make necessary and reasonable policies/procedures/protocols covering non-emergency medical transport service operations, equipment, and personnel, for the effective and reasonable administration of this Division.

CHAPTER 9. OPERATIONAL STANDARDS AND REQUIREMENTS EMERGENCY MEDICAL SERVICES AIRCRAFT TRANSPORTATION SERVICES

SEC. 610.901. PURPOSE.

To establish minimum standards for the integration of emergency medical services (EMS) aircraft and personnel into the County of San Diego prehospital patient transport system as a specialized resource for the transport and care of emergency medical patients. EMS aircraft must be authorized by the County of San Diego, Health & Human Services Agency, EMS Branch in order to provide prehospital patient transport within San Diego County.

SEC. 610.902. SAN DIEGO COUNTY STANDARDS

(a) Standard A-1: EMS aircraft operations shall be an integrated component of the regional Emergency Medical Services Plan with provisions for timely response, communications, access to appropriate care, quality improvement and evaluation, and disaster preparedness.

The County of San Diego, EMS Branch shall:

(1) Maintain an inventory of the number and type of authorized EMS aircraft, the patient capacity of authorized EMS aircraft, the level of patient care provided by EMS aircraft personnel, and receiving facilities with landing sites approved by the State Department of Transportation, Aeronautics Division.

(2) Establish policies and procedures to assure compliance with Federal, State and local statutes.

(3) Establish policies and procedures that:

1. Apply to air ambulance service providers and medical flight crews for medical control.

2. Apply to EMS aircraft operations in the County of San Diego for record keeping, quality assurance, and continuous quality improvement.

(b) Standard A-2: Air ambulances shall be appropriately equipped and staffed to safely respond, meet the needs of the patient and to transport him/her to an appropriate receiving facility equipped and staffed to care for the patient.

(c) Standard A-3: At least one permitted air ambulance provider shall be available to provide primary response rotorcraft services to medical incident scenes 7 days a week, 24 hours a day.

(1) Unless specifically exempted by the ordinance, all air ambulance operators offering services to, from or between hospitals located in San Diego County shall obtain an Ambulance Operators Permit issued by the County of San Diego, EMS Branch.

(2) Air Ambulance Providers shall:

a. Respond to all medically appropriate requests without financial screening (weather and aircraft airworthiness excluded).

b. Respond to scenes (Primary Response Air Ambulance) when an authorized requesting agency determines the need for air ambulance transport meets the County of San Diego, EMS policies.

c. Have a written agreement with the County of San Diego, EMS Branch specifying operational and aircraft capabilities, which meet or exceed requirements of applicable EMS aircraft classifications.

d. Obtain and maintain accreditation by the Commission on Accreditation of Medical Transport Systems (CAMTS).

1. Air ambulance providers requesting initial licensure that are ineligible to apply for CAMTS accreditation based upon stated CAMTS requirements, must provide documentation to demonstrate equivalence with CAMTS standards, and within four months must have completed an onsite CAMTS consultation.

2. Documentation must be provided after completion of the onsite CAMTS consultation demonstrating a conditional CAMTS accreditation. Air ambulance providers must apply for full CAMTS accreditation within one year.

3. A provisional license will be granted for no longer than two years at which time they must provide documentation that the service is fully CAMTS accredited.

(3) Primary Response Air Ambulance: The designation as a Primary Response Air Ambulance for purposes of the EMS system of the County of San Diego confers upon the service operator the recognition that it has the commitment, personnel and resources necessary to provide optimum medical care for the patient.

a. An air ambulance provider which is designated or permitted as a primary response air ambulance shall meet or exceed the requirements set out in California Code of Regulations, Title 22, Division 9, Chapter 8, Section 100302 and 100306.

b. In addition, primary response air ambulance providers shall:

1. Meet or exceed all state, federal licenses and permits necessary to provide air ambulance services.

2. Maintain valid ambulance operator and equipment permits issued by the County of San Diego, EMS Branch.

3. Maintain adequate resources located in San Diego County to provide services on a continuous basis 24 hours a day, 7 days a week.

4. Maintain minimum staffing of two (2) attendants certified or licensed in advanced life support, one of which is a Registered Nurse (RN), for each responding flight crew.

5. Operate at all times under medical direction and control of a designated base hospital and a licensed physician and surgeon with relevant experience in the provision of emergency medical care.
6. Comply with the County of San Diego, EMS Branch quality improvement process to include representative participation on the Prehospital Audit Committee.
7. Submit prehospital reports as per the County of San Diego, EMS Branch policies.
8. Establish and maintain radio/telephone communication capability, 24 hours a day, 7 days a week, capable of maintaining constant communication with the aircraft and local public safety dispatch entities.
9. Maintain all equipment, and adhere to all standards set forth in the County of San Diego policies, protocols and procedures and prescribed in the EMS Plan.
10. Maintain at a minimum one (1) similarly configured back up aircraft, which is available within a maximum of twenty-four (24) hours to maintain service continuity 7 days per week, 24 hours per day.

(4) Interfacility Air Ambulance. The designation as an Interfacility Air Ambulance for purposes of the EMS system of the County of San Diego confers upon the service operator the recognition that it has the commitment, personnel and resources necessary to provide optimum medical care for the patient.

a. An air ambulance provider which is designated or permitted as a Interfacility air ambulance shall meet or exceed the requirements set out in California Code of Regulations, Title 22, Division 9, Chapter 8, Section 100302 and 100306.

b. In addition, Interfacility air ambulance providers shall:

1. Meet or exceed all state, federal licenses and permits necessary to provide air ambulance services.
2. Maintain valid ambulance operator and equipment permits issued by the County of San Diego, EMS Branch.
3. Enter into a MOA with the County of San Diego, EMS Branch for purposes of ALS Air Ambulance services, which meet or exceed provider performance and aircraft specifications.
4. Maintain adequate resources located in San Diego County to provide services on a continuous basis 24 hours a day, 7 days a week.
5. Maintain minimum staffing of one Registered Nurse and one Emergency Medical Technician Paramedic (EMT-P) for each responding flight crew.

6. Operate at all times under medical direction and control of a designated base hospital and a licensed physician and surgeon with relevant experience in the provision of emergency medical cares.
7. Comply with the EMS Branch Quality Assurance/Quality Improvement (QA/QI) process to include representative participation on applicable audit committee.
8. Submit prehospital patient reports as per the County of San Diego, EMS Branch Policies.
9. Establish and maintain radio/telephone communication capability, 24 hours a day, 7 days a week, capable of maintaining constant communication with the aircraft and local public safety dispatch entities.
10. Maintain all equipment, and adhere to all standards set forth in County of San Diego's policies, protocols and procedures and prescribed in the EMS Plan.

(5) Rescue Aircraft

a. Must have an entry that allows loading and unloading without excessive maneuvering of the patient.

b. Must be configured in such a way that the air medical personnel have access to the patient in order to begin and maintain both basic and advanced (if an ALS personnel is on board) life support during flight.

c. Must be equipped with a stretcher sturdy and rigid enough that it can support cardiopulmonary resuscitation.

d. The stretchers shall be large enough to carry the 95th percentile adult patient in the U.S., full length in the supine position. (The 95th percentile adult male in the U.S. is 6 ft. and 212 lbs.)

e. Must have the necessary radios that are capable of communicating with emergency ground units, the air medical communications center, all hospitals in San Diego County, and all law enforcement agencies in the County.

f. Must be equipped with medical supplies and equipment for the various types of missions to which it will respond, as need indicates. These supplies must include, but not be limited to:

1. Airway management equipment, including oxygen and suction equipment
2. Bandages and dressings
3. Stethoscope
4. Blood pressure kit
5. Cervical collars

6. Assorted splints

g. Must be climate controlled to prevent temperature extremes that would adversely affect patient care.

h. Must have interior lighting to ensure adequate observation of the patient.

i. Shall be configured to ensure that the pilot and controls are protected from inadvertent contact by the patient or air medical care providers.

j. All patients must be properly restrained to ensure the safety of the patients as well as the air medical personnel located in the patient care area.

k. The aircraft must be equipped with appropriate survival equipment and supplies

(d) Standard A-4: Primary response air ambulance services shall be made available to sick and injured persons in the County whenever it is safe, appropriate and necessary to optimize the care of the patient. The pilot in command shall have the full authority to abort or decline response to any request for service when mechanical, geographic, or flight condition might endanger the crew or others.

(1) No person or organization shall provide or hold himself or herself out as providing prehospital Air Ambulance or Air Rescue services unless that person or organization has aircraft which have been classified by the County of San Diego, EMS Branch with the exception of State or Federal aircraft.

(2) Operation of State or Federal aircraft in San Diego County

a. A request from a designated dispatch center shall be deemed as authorization of aircraft operated by the California Highway Patrol, Department of Forestry, National Guard or the Federal Government.

(e) Standard A-5: All personnel involved in the provision of EMS aircraft services shall be licensed, certified, equipped and trained to levels required to safely and consistently respond and provide care in the flight environment.

(f) Standard A-6: Air ambulances designated or permitted, as primary response rotorcraft shall be considered to be the air response asset of choice for incident scene operations. Rescue rotorcraft may be used to supplant or extend the availability of air medical transportation.

(1) General Aircraft Standards: Designated EMS aircraft operators shall adhere to appropriate Federal Aviation Regulations (FAR) including but not limited to Parts 135, 91, 61, 43 and Advisory Circular 135-14A as it pertains to flight operations, maintenance inspections, pilot flight and duty time. The aircraft operator will also hold "Air Ambulance Operations Specifications".

Interface Air Ambulances With Rescue Aircraft

a. Nothing in the Ordinance should be considered to limit the operation of a rescue aircraft in responding to medical emergencies.

b. Rescue aircraft will notify the air ambulance communication center(s)

when requested for medical services or responses via radio or appropriate ground relay.

c. ALS/BLS Rescue aircraft medical personnel may, based on the needs of the patient, prevailing weather or availability of a primary response air ambulance:

   1. Rescue/extricate/treat the patient and transport

   2. Rescue/extricate/treat patient and await an air or ground ambulance

d. ALS Rescue aircraft medical personnel, upon making the decision to transport, shall notify their base hospital, which shall notify or facilitate communication with the appropriate receiving hospital.

e. BLS Rescue aircraft medical personnel, upon making the decision to transport, shall notify the communication center, which shall notify or facilitate communication with the appropriate receiving hospital.

f. Auxiliary Rescue aircraft medical personnel may rescue/extricate/treat the patient and await or rendezvous with an air or ground ambulance, but shall not transport the patient to a receiving hospital.

SEC. 610.903. PERSONNEL.

All personnel involved in the provision of EMS aircraft services in San Diego County shall be licensed, certified, equipped and trained to levels required to safely and consistently respond and provide care in the flight environment.

(a) EMS aircraft Medical Flight Crew shall have relevant training and experience in the care of the patient and meet the qualifications of the role within which they are functioning.

(1) Primary Response air ambulances shall maintain minimum staffing of at least two attendants licensed in advanced life support for each responding flight crew, one of which is a Registered Nurse (RN).

SEC. 610.904. INSURANCE.

Every applicant for an Air Ambulance providers permit shall obtain and maintain in full force liability insurance including but not limited to comprehensive aircraft liability, each with a combined single limit of not less than $10,000,000 per occurrence and professional liability with a limit of not less than $1,000,000 per claim. Primary response air ambulance applicants shall obtain and maintain in full force liability insurance including but not limited to comprehensive aircraft liability, each with a combined single limit of not less than $5,000,000 per occurrence and professional liability of not less than $5,000,000 per claim.

SEC. 610.905. WORKERS' COMPENSATION INSURANCE REQUIREMENT.

The County Health and Human Services Agency shall not grant any Ambulance/Transport Permit unless the applicant files with the Permit Officer a policy of Workers' Compensation Insurance or a Certificate of Consent to Self Insure issued by the California State Director of Industrial Relations, applicable to all employees of the applicant.

The Permittee shall thereafter maintain in full force and effect such coverage during the term of the Permit. Certificates or copies evidencing such coverage shall be provided to and maintained by the County Health and Human Services Agency.

SEC. 610.906. SERVICE REQUIREMENTS.

(a) Primary Response Air Ambulance Providers shall be available to provide primary response air ambulance services to medical incident scenes seven (7) days a week, 24 hours per day. Notwithstanding the above, the pilot in command shall have full authority to abort or decline response to any request for service when mechanical, geographic or flight conditions might endanger the crew or others.

(b) Rescue Aircraft shall only transport patients in coordination and conjunction with primary response air ambulance agencies. This type of craft is to be available primarily for rescue purposes.

(c) Each air ambulance provider will cooperate with the ambulance coordinator during a declared Annex-D event to provide adequate transporting units for the incident.

(1) Nothing in this ordinance shall be considered to abridge or supplant the primary jurisdiction of the United States Coast Guard over air medical and other rescue operations at sea or within the Port of San Diego. During activation of Annex "D" or declared states of emergency the following shall apply:

a. Directly request the assistance of the Coast Guard for any appropriate mission including inland river rescue. The air medical communication center shall maintain a mechanism for promptly contacting the Command Duty Officer Coast Guard Air Station, San Diego for such requests.

b. Based on the best information available, any incident scene commander or local emergency management official may request the assistance of local or regional military air medical assets. * Such request will be routed through the air medical communication center with Commander Naval Air Pacific (COMNAVAIRPAC), Naval Air Station North Island being the primary point of contact for all requests. The air medical communication center shall maintain a mechanism for promptly contacting the command duty officer, COMNAVAIRPAC.

(2) Interface/Utilization with Non-medical Civilian or Public Safety Aircraft: Based on the best information available, any incident scene commander or local emergency management official may utilize non-medical civilian aircraft for the purpose of transporting the sick and injured. This should occur only after all alternative resources have been exhausted. Incident scene commanders shall make their best effort to configure and staff the aircraft appropriately based on conditions at scene and resources available. Non-medical aircraft pilots shall be provided with the air medical communication frequency. The air medical communication centers will assist said aircraft in accessing and notifying an appropriate receiving hospital.

(d) Air Medical Dispatch must be coordinated through a designated dispatch center so as to ensure the safety of all participants and patients in the EMS and Air Medical Systems. Should there be more than one permitted primary response rotorcraft agency in San Diego County there shall be a centralized dispatch agency designated by the County of San Diego.

SEC. 610.907. FACILITIES.

(a) Each air medical services provider shall establish at least one base of operations within the geographic borders of San Diego County. All such locations shall comply with all applicable zoning, building, and occupational health and safety regulations.

(b) Each base of operations shall be adequate to house the aircraft crew required for the aircraft based at that location. Cooking facilities, rest rooms, showers, and beds sufficient for all personnel on duty are required for all bases. Alternate temporary posting locations shall be adequate to protect the crew and include toilet and rest facilities as determined by the Permit Officer.

(c) The Permit Officer shall make an inspection of the facilities, equipment and methods of operation of each permittee.

SEC. 610.908. INVESTIGATIONS.

Air Medical Services Provider Permittees shall cooperate with the Permit Officer, or his/her designee, in any investigations of possible violations of this Division and shall make all dispatch logs and similar dispatch records, including tape recordings, available for inspection and copying at reasonable times at the permittee's regular place of business. All tape recordings will remain available for a minimum of 90 days from the date the recordings are made.

SEC. 610.909. POLICIES/PROCEDURES/PROTOCOLS.

The Permit Officer shall make necessary and reasonable policies/procedures/protocols covering air medical services operations, equipment, personnel, and standards of dispatch for the effective and reasonable administration of this Division.

SEC. 610.910. GENERAL REQUIREMENTS.

Air medical services providers shall:

(a) Dispatch an aircraft within a reasonable time in response to an emergency call from a person, unless such person is immediately advised of a delay in responding to a call;

(b) Disclose to any person requesting service those instances when an aircraft is not available for an emergency call;

(c) Provide prompt transportation of the patient to the most appropriate medical facility, licensed, equipped, and staffed to meet the needs of the patient in accordance with applicable laws, rules, regulations and policies; and

(d) Record all telephone and radio calls for air medical services.

SEC. 610.911. PROHIBITIONS.

Air medical services providers are hereby prohibited from engaging in the following activities:

(a) Using a scanner or radio monitoring device for the purposes of responding to a call when not requested to respond to that call by an individual requesting that service or the appropriate public safety dispatch center;

(b) Permitting the operation of an aircraft in any manner contrary to the provisions of this Division or contrary to any applicable statute, rule or regulation;

(c) Performing air medical services unless possessing a current, valid Air Ambulance Provider's Permit or a current, valid Critical Care Transport Provider's Permit, respectively;

(d) Announcing, advertising, or offering:

(1) Air medical services without possessing a current, valid Air Ambulance Provider's Permit; or

(2) Advanced life support services without being authorized by the County to provide such service; or

(3) Critical care transport services without possessing a current, valid Air Ambulance Provider's Permit.

(e) Causing or allowing aircraft to respond to a location without first receiving a specific request for air medical services at that location.

SEC. 610.912. AIRCRAFT COMPLIANCE.

(a) Air ambulances shall meet the following requirements:

(1) Aircraft shall have sufficient patient cabin area to accommodate transportation of two patients, not stacked, on stretchers. Both patients must be accessible to care providers for ACLS interventions.

(2) Aircraft shall have an entry that allows loading and unloading without excessive maneuvering of the patient, and does not compromise functioning of monitoring systems, intravenous lines, or manual and mechanical ventilation.

(3) Aircraft must be configured in such a way that air medical personnel have access to any patient in order to begin and maintain both basic and advanced life support during flight.

(4) The stretchers shall be sturdy and rigid enough that it can support cardiopulmonary resuscitation. If a backboard or equivalent device is required to achieve this, such a device shall be readily available.

a. The stretcher and the means of securing it for flight must be consistent with FAR(s).

b. The stretchers shall be large enough to carry the 95th percentile adult patient in the U.S., full length in the supine position. (The 95th percentile adult male in the U.S. is 6 ft. and 212 lbs.)

c. The head of the stretcher is capable of being elevated at least 30 degrees for patient care and comfort.

(5) The aircraft must have heat and air conditioning capability to prevent temperature extremes that would adversely affect patient care.

(6) The aircraft should have an electric inverter with a minimum power output of 750 volt/amps, with two outlets, to convert DC current to AC current for operation of specialized equipment, such as transport isolette and balloon pumps.

(7) The aircraft must be equipped with medical supplies and equipment for the various types of missions to which it will respond, as need indicates, and as required by local and regional authorities and the program medical director. These supplies must include, but need not be limited to:

a. Airway management equipment including oxygen, mechanical suction, intubation equipment and ventilator support equipment.

b. Cardiac monitor/defibrillators for two patients.

c. Advanced cardiac life support drugs and therapeutic modalities; or equivalent specific to type of mission.

d. Other electronic devices deemed necessary to deliver specific patient care (i.e., pulse oximeter, IV pumps, ETC02 detector/ monitor, external pacemaker, and Doppler).

(8) All medical equipment must be maintained according to the manufacturer's recommendations, be functional at all altitudes and must not interfere with the avionics.

(9) A standardized written inventory for controlled drug administration shall be maintained pursuant to the County of San Diego EMS Air Medical Policies.

a. Drugs and equipment shall be maintained consistent with the County of San Diego EMS Policies and Protocols

b. Additional drugs and treatments may be authorized by an agency medical director for use and or administration by a registered nurse.

(10) Aircraft shall be a light or medium weight multiengine helicopter capable of routinely responding to unimproved landing sites under visual flight rule (VFR) conditions.

(11) Aircraft shall have a minimum operating range of 300 statute miles plus reserve without refueling.

(12) Aircraft shall be able to lift and hover out of ground effect (HOGE) with the following loading under the following conditions:

a. Loading: All required medical and safety equipment, 3-person flight crew, at mean male weight, one at mean female weight (total 500 pounds), 2 patients in the 95th percentile adult weight (total 424 pounds). Fuel sufficient to complete a non-stop flight of 120 statute miles plus reserve.

b. Conditions: Mean seal level at temperature of 115 degrees Fahrenheit as well as 3000 feet elevation at 88 degrees Fahrenheit.

(13) Aircraft shall be "hot load" capable.

(14) Aircraft shall be equipped for inadvertent Instrument Flight Rule (IFR) operation.

(15) Aircraft shall be equipped with a wire strike protection package.

(16) Aircraft shall be equipped with a direction controllable searchlight not less than 15 million candlepower, or equivalent technology (e.g. night vision goggles).

(17) Primary response air ambulances must meet the following requirements:

a. Must have separate communication equipment to ensure air medical personnel to ground exchange of information pertinent to the mission between individuals, EMS and law enforcement agencies, and health care facilities, including at a minimum medical control and air traffic control.

b. A similar configured backup rotorcraft of the same capability as the primary aircraft shall be maintained, ready and promptly available to replace the primary response rotorcraft in the event of mechanical failure. The aircraft must be equipped with appropriate survival equipment.

(b) EMS aircraft that are designated or permitted as rescue aircraft providers shall meet the following requirements:

(1) Aircraft shall have an entry that allows loading and unloading without excessive maneuvering of the patient, and, for ALS rescue aircraft does not compromise functioning of monitoring systems, intravenous lines, or other ALS treatments.

(2) Aircraft must be configured in such a way that air medical personnel have access to any patient in order to begin and maintain basic and advanced life support (ALS rescue aircraft) during flight.

(3) Must have an entry that allows loading and unloading without excessive maneuvering of the patient.

(4) Must be configured in such a way that the air medical personnel have access to the patient in order to begin and maintain both basic and advanced (if a paramedic is on board) life support during flight.

(5) Must be equipped with a stretcher sturdy and rigid enough that it can support cardiopulmonary resuscitation.

(6) The stretchers shall be large enough to carry the 95th percentile adult patient in the U.S., full length in the supine position. (The 95th percentile adult male in the U.S. is 6 ft. and 212 lbs.)

(7) Must have the necessary radios that are capable of communicating with emergency ground units, the air medical communications center, all hospitals in the County, and all law enforcement agencies in the County.

(8) Must be equipped with medical supplies and equipment for the various types of missions to which it will respond, as need indicates. These supplies must include, but not be limited to:

a. airway management equipment, including oxygen and suction equipment

b. bandages and dressings

c. stethoscope

d. blood pressure kit

e. cervical collars

f. assorted splints

(9) All medical equipment must be maintained according to the manufacturer's recommendations, be functional at all altitudes, and must not interfere with the aircraft's avionics.

(10) The aircraft must be equipped with appropriate survival equipment and supplies.

SECTION 610.913. AIRCRAFT INSPECTION.

The air medical services provider shall allow the Permit Officer or his/her designee to inspect, on an announced or unannounced basis, all aircraft used to provide air medical services. The inspections should be held, whenever possible, during normal business hours provided, however, that the inspection of an aircraft would be stopped should the aircraft be needed to respond to an emergency call. If, at any time during an inspection, an agency representative, officer, director or agent thereof knowingly makes a false, misleading or fraudulent statement or engages in fraudulent behavior, the Permit Officer may order the suspension or revocation of the ambulance permit as provided for in Section 610.501. The purpose of such inspections may include, but shall not be limited to, determining if:

(a) the aircraft is properly configured, maintained and equipped for the provision of air medical service.

(b) the description of the aircraft required by this ordinance is accurate.

(c) the permitted agency is providing services at the care level authorized by the permit issued.

Section 3. Effective Date and Publication. This ordinance shall take effect thirty (30) days after its adoption. Fifteen days after the date of adoption of this ordinance, a summary shall be published once with the names of the members of the Board voting for and against it in a newspaper of general circulation published in County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 30th day of July, 2013.

GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 30th day July, 2013.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By
Nancy Vizcarra, Deputy

Ordinance No. 10274 (N.S.)

07-30-2013 (8)