



AMBULANCE SERVICE PROVIDER PERMITS **DRAFT**

POLICY NO: **4001**

PAGE 1 OF 13

EFFECTIVE DATE: 00-00-23

REVISED DATE: NEW POLICY

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AUTHORITY: California Health and Safety Code, Division 2.5 California Code of Regulations Title 22 Chapter 9. Sonoma County Code Chapter 28. Mendocino County Code Chapter 9.05

4001.1 PURPOSE

- a. This Policy Number 4001 (Policy) is intended to provide structure for the regulation of private ambulance providers within the Local EMS Agency jurisdiction of Coastal Valleys EMS Agency (CVEMSA).

4001.2 POLICY

- a. It shall be unlawful for any person, either owner, agent, or otherwise, to operate, advertise, or otherwise engage in or profess to be engaged in providing ambulance transportation upon the streets or any public way or place within the jurisdiction of the CVEMSA without possessing a valid ambulance provider permit.
- b. Permits are required for the provision of:
 1. 911 and/or emergency ambulance services
 2. Advanced Life Support (ALS) interfacility ambulance transportation services
 3. Basic Life Support (BLS) ambulance transportation services
 4. Critical Care Transport (CCT) ambulance transportation services
 5. Air ambulance services
- c. Exceptions
 1. Cities, Special Districts or County public service providers are exempt from the requirement to obtain an ambulance provider permit per Sonoma County Ordinance Sec 28-6.
 - a) Any privately organized or not-for-profit ambulance service provider contractor providing services to a governmental agency shall be subject to all permitting requirements.

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- (1) Contract language between government agency and ambulance contractor will be reviewed by CVEMSA designated staff for roles and responsibilities related to patient care, certification, certification/license disciplinary action, and safety provisions within the relationship and subject to comment or clarification as a condition of the ambulance provider permit approval process.
 - (2) Nothing in this policy authorizes any public agency to independently authorize a third party to provide ambulance service within Sonoma or Mendocino Counties.
 - b) Those entities not subject to permitting are subject to the equipment, requirements, and standards for ambulance providers specified in CVEMSA Administrative Policy and Treatment Guidelines and relevant County Ambulance Ordinances and are subject to an attestation agreement regarding medical control with CVEMSA affirming an intention to comply with each.
 2. A permit shall not be required for vehicles operated as ambulances at the request of local authorities during any proclaimed "state of emergency" or "local emergency" as defined in the California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code) as amended.
 3. Ambulances based and properly licensed outside of the CVEMSA area may transport patients within the CVEMSA area without compliance with this chapter provided:
 - a) The patient is being transported to a residence or facility within CVEMSA from a residence or facility outside of the area; or,
 - b) The patient is being transported through CVEMSA to a destination outside the area; or,
 - c) The patient was transported into the area by the same operator and is to be transported back to the county of origin by the same ambulance unit; or,
 - d) An agreement exists between contiguous counties for emergency medical services by ambulances.
 - d. All ambulance services delivering ALS services within CVEMSA jurisdiction (including exempt Cities, Special Districts, or County public service providers) shall comply with the Administrative Policies and Treatment guidelines and respective County Ambulance Ordinances and be subject to an ALS agreement intended to comply with California Code of Regulations §100168.
 - e. All ambulance services delivering BLS and/or CCT services within CVEMSA jurisdiction shall comply with the Administrative Policies and Treatment guidelines and respective County Ambulance Ordinances and be subject to a provider agreement specific to the services provided.

4001.3 APPLICATION REQUIREMENTS AND PROCESS

- a. Applicants shall submit in writing, on a form(s) provided by the CVEMSA, the following minimum information:
 1. Name and description of the applicant.
 2. Business address and resident address of record of the applicant.
 3. Location of each ambulance station and number and level of ambulances therein stationed.
 4. Trade or firm name or Doing Business As (DBA) as recorded.
 5. If a corporation, a joint venture, or a partnership or a limited partnership, the names of all partners or the names of corporate officers, their permanent addresses, and their percentage of participation in the business.
 6. A general description of the geographic area in which the applicant proposes to provide the service.
 7. For prospective 911 ambulance providers only:
 - a) A statement of facts showing the experience of the operator in the operation of an ambulance service and that the applicant is qualified to render efficient twenty-four (24) hour ambulance service.
 - b) A statement that the applicant shall not provide emergency ambulance services within any ambulance response zone assigned to another provider pursuant to Sonoma County Ordinance Section 28-8 except:
 - (1) During any proclaimed "state of emergency" or "local emergency" as defined in the California Emergency Services Act (Chapter 7 of Division 1 of Title 2 of the Government Code) as amended;
 - (2) With specific written permission of CVEMSA; or
 - (3) As Mutual Aid pursuant to a written mutual aid agreement with the provider assigned to the response zone.
 - (a) "Mutual Aid" means resource sharing in which similar organizations assist each other during emergencies and day-to-day operations pursuant to a written mutual aid agreement. "Mutual aid" includes the following:
 - (i) Auto/Instant Aid: Agreements between two or more jurisdictions where the nearest available resource is dispatched to an emergency irrespective of jurisdictional boundaries or where two or more agencies are automatically dispatched simultaneously to predetermined types of emergencies or in predetermined situations. This type of mutual aid agreement is typically utilized on a day-to-day basis.
 - (ii) Mutual Aid: Agreements between two or more jurisdictions to provide assistance across jurisdictional boundaries, when requested, as a result of the circumstances of an emergency exceeding local resources.

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- (iii) Disaster Assistance: Similar to mutual aid but are requests for assistance in the event that a disaster overwhelms local resources. These requests may be under existing mutual aid agreements or the result of unforeseen needs arising from a particularly large-scale disaster.
- (b) Notably, one defining element of mutual aid is that it is initiated by an agreement with or request from the response zone provider. Here, such a request or agreement may be operationalized in the form of instructions to REDCOM from the response zone provider and the mutual aid provider. There may be a standing agreement between both agencies to activate mutual aid when certain conditions exist, or mutual aid may be provided on an ad-hoc basis when unforeseen circumstances arise. In no case may one provider unilaterally respond into another response zone without the expressed permission of the designated response zone provider.
- c) A statement that the applicant shall pay all applicable EMS dispatch fees which may be a direct charge from the designated 911 dispatch center.
- d) A background and need study including:
- (1) A description of the prehospital care system currently in place in affected area;
 - (2) A explanation and supporting documentation of prehospital care services that provider desires to bring to the affected area;
 - (3) A description and documentation (in numerical terms where possible) of the anticipated improvement in prehospital care achieved by adding provider to the area described.
 - (4) Evidence of community support within the affected area;
8. A statement that the applicant owns or has under its control the required equipment to adequately conduct an ambulance service that meets the requirements established by the California Vehicle Code, the Coastal Valleys EMS Agency Administrative Policies and Treatment Guidelines, the appropriate County Ordinances and regulations adopted pursuant thereto, and that the applicant owns or has access to suitable and safe facilities for maintaining services ambulance in a clean, sanitary and good mechanical condition
9. A statement giving a complete description of each ambulance vehicle operated by the applicant, including the patient capacity thereof. A copy of the most recent Ambulance Inspection Report and license issued by the California Highway Patrol for each vehicle If the applicant is exempted by statute or regulation from CHP permitting, the applicant may substitute an attestation the applicant is aware compliance with the relevant CHP regulations is required by law, and applicant agrees to comply
10. A statement that the applicant employs sufficient certified, licensed and accredited personnel adequately trained to deliver emergency medical services of good quality at all times.

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11. A list of currently accredited and certified personnel associated with the provider will be provided and the provider agrees to update the personnel list as needed within the CVEMSA License Management System and shall be provided to CVEMSA before the start or renewal date of ambulance permits.
 12. A schedule of rates including any special rates to be charged by the permittee for ambulance services provided.
 13. An attestation to agree to the following:
 - a) Private service ambulance dispatch centers may dispatch ambulances within the CVEMSA area if approved by CVEMSA.
 - b) Such approval must include a requirement that CVEMSA approved system of call triage, including a process to refer urgent calls received on any phone line to EMS dispatch.
 - c) An acknowledgment that CVEMSA can audit the dispatch of records of dispatched ambulances as a condition of permitting. Ambulance dispatch centers other than the approved EMS dispatch center are not authorized to receive calls from Public Safety Answering Points (PSAPs).
 14. A statement that the applicant shall pay all applicable fees as determined by the applicable County Board of Supervisors.
 15. A statement acknowledging the right of CVEMSA staff to inspect vehicles, medications, equipment, business, and staff records for compliance related to any policy, regulation, or laws related to the permit process or delivery of ambulance service.
 16. A Statement that the applicant agrees to use an electronic health record system that exports data in a format that is compliant with the current versions of the California Emergency Medical Services Information System (CEMSIS) and the National Emergency Medical Services Information System (NEMSIS) standards and includes those data elements that are required by the local EMS agency.
- b. In addition to complying with permitting requirements, if applicable, prospective 911 ambulance providers for areas within CVEMSA jurisdiction that are currently designated emergency response zones must conform to the process outlined within Sonoma County Ordinance Sec 28 or County of Mendocino Ordinance Chapter 9.05, respectively.
 - c. Applicants for permits to operate ALS ambulance service are required to enter into a Memorandum of Understanding, Statement of Acknowledgment or Contract as required under any applicable policy of CVEMSA to comply with California Code of Regulations section 100168 Paramedic Service Provider
 - d. Upon the receipt of a completed application, CVEMSA shall review to determine whether the application is complete as to form and whether the applicant is eligible for consideration of a permit in accordance with local Ordinance(s) and EMS policies.

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- e. CVEMSA shall notify the applicant within 30 calendar days of application receipt that the application is complete as to form or provide a list of missing requirements.
 - f. CVEMSA staff may issue a written decision on the permit application within 30 days from notification that the application is complete as to form and eligible for consideration of a permit. CVEMSA shall notify the applicant if the permit consideration will require more than 30 days.

4001.4 PERMITTING FEES

- a. CVEMSA shall have the ability to recover the reasonable regulatory costs to the County for issuing licenses and permits, performing investigations, inspections, and audits, enforcing orders, and the administrative enforcement and adjudication thereof through the establishment of fees in accordance with the relevant County Board of Supervisors fee schedule.
- b. Renewal of any Ambulance Service Provider Permit shall be conditioned on the permit applicant or holder remitting any established fees that are approved by the Sonoma County Board of Supervisors.

4001.5 INSURANCE AND BONDING REQUIREMENTS

- a. Permit holders shall obtain and keep in force during the term of said permit,
 - 1. General liability for vehicle operation which shall be public liability and bodily injury insurance issued by a company authorized to do business in the State of California, insuring the owner and also naming the County as an additional insured of such ambulance against loss by reason of injury or damage that may result to persons or property from negligent operation or defective construction of such ambulance, or violation of the respective County ordinance and/or EMS policies and procedures or of any other law of the State of California or the United States. Said policy shall be for not less than one million dollars (\$1,000,000) combined single limit for personal injury and property damage for each vehicle in any one accident.
 - 2. Workers Compensation Insurance shall be carried covering all employees of the permit holder.
 - 3. Medical Liability - The permittee shall defend, indemnify and hold harmless the County, its agents, and employees, from and against any and all claims and actions for damages or losses to persons or property arising out of or in connection with the activities of the permittee, his/her agencies or employees in which the claim or action against the County is in any way derived from or vicariously based upon the activities of the permittee, his/her agencies or employees. Said defense and indemnification shall include, but not be limited to, any and all costs, expenses, attorneys' fees, any liability incurred in defense of

such claims or actions whether the same proceeds to judgment or not. The permittee shall maintain comprehensive medical liability insurance in the amount of one million dollars (\$1,000,000) and shall furnish CVEMSA with a certificate of insurance before issuance or renewal of an operational permit. Said policy shall name the County as coinsured and shall require a minimum of 15 calendar days' notice to be given to the County prior to cancellation, modification, or reduction in limits.

- b. Copies of the policies or certificates evidencing such policies shall be filed with CVEMSA before a permit is issued. All policies shall contain a provision requiring a minimum of 15-calendar days' notice to be given to the County prior to cancellation, modification, or reduction in limits. The amounts of public liability insurance for bodily injury or property damage and medical liability shall be subject to review and adjustment annually at the CVEMSA's option.
- c. As a condition to the issuance of the permit, the applicant shall post with CVEMSA a cash bond in the sum of one hundred thousand dollars (\$100,000) or a surety bond in the same amount furnished by a corporation authorized to do business in the State of California, payable to the County of Sonoma or Mendocino. The bond shall be conditioned upon the full and faithful performance by the permittee of his/her obligations under the applicable provisions of the Coastal Valley EMS policies, procedure, and respective Emergency Medical Response Ordinances and shall be kept in full force and effect by the permittee throughout the life of the permit and all renewals thereof. CVEMSA may establish additional or lower bond requirements or waive the bond requirement if public need and necessity require it or the applicant has demonstrated his ability to meet the obligations of the respective ordinance and/or EMS policies and procedures by three or more years of providing emergency medical services within CVEMSA. The bonding requirement may be instituted for cause.

4001.6 PERMIT TERMS AND AMENDMENTS AND VARIANCES

- a. The Policy is effective January 15, 2024 (the Effective Date) for any new providers entering into CVEMSA's jurisdiction.
- b. Providers operating as of the Effective Date may continue for six (6) months until July 14, 2024, when permit applications will be due for providers that were operating as of the Effective Date. These existing providers may continue to provide the same type of service while their application is pending.
- c. Any rights under Subsection (b) above are terminated effective (1) July 14, 2024 if no application is submitted, or (2) upon CVEMSA's initial determination to grant or deny the permit, whichever happens sooner.

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- d. Nothing in the Policy overrules stricter standards in an agreement with CVEMSA.
 - e. Initial permits issued under this policy shall be effective for one (1) calendar year from the date the permit is issued. Renewal permits issued under this policy shall be effective for three (3) years from the date the permit is issued.
 - f. Permits may be renewed upon application of the permittee if it is determined that the permit holder has during the period of the expiring permit operated in conformity with this policy, ordinances, laws, regulations, policies, and procedures and that the permittee is capable of continuous operation in conformity. Requests for renewal shall be submitted no later than 45 days before the expiration on the CVEMSA Permit Renewal Application
 - g. Annually, or more often if requested by the EMS Medical Director, each permittee shall submit compiled patient and ambulance operation information.
 - h. Permits may be amended during the renewal process provided that such amendments shall continue to conform to all applicable provisions of the respective ordinance and this policy.
 - 1. Upon request by the permittee, CVEMSA may amend the conditions specified in the permit if such changes are in substantial compliance with the provisions of the respective ordinance and any policies or procedures.
 - 2. Such amendments shall not affect the expiration date of the existing permit. Such amendments shall not authorize a change in ownership from that specified in the original permit.
 - 3. Change in the level of service shall not be allowed unless in substantial compliance with the CVEMSA EMS Plan.
 - 4. A permittee must conform to the requirements of the permit unless a revision is approved by CVEMSA.
 - i. At the discretion of CVEMSA, a temporary operating permit may be authorized for an ambulance service based outside the county and properly licensed by the California Highway Patrol for up to thirty (30) days for special activities.
 - j. Permits issued under this policy are non-transferable.
 - 1. In the event of a change in ownership of any kind or nature, any interruption of service of more than twenty-four (24) hours duration for 911 providers, or any substantial change in staffing, location, or equipment of the ambulance service which causes the ambulance service to be carried out differently than specified in the current operating permit, the permittee shall notify CVEMSA immediately in writing stating the facts of such change.

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2. Upon request by the permittee, the CVEMSA may grant a temporary variance from the condition so specified in the original permit if CVEMSA finds that such change is in substantial compliance with the provision of the relevant County Ordinance, EMS policies and procedures, and any applicable law.
 3. In all cases when a change of ownership occurs in an ambulance service, an application for a new permit shall be filed with CVEMSA within thirty (30) days. In no case shall any temporary variance be valid for more than sixty (60) days without the written approval of the CVEMSA.
- k. Permittee shall notify CVEMSA in writing within thirty (30) days of any other changes in the information outlined in any application or certification document required by CVEMSA.
- l. Permittee that provide 911 response shall render services required under the respective ordinance and/or EMS policies and procedures on a twenty-four (24) hour-a-day basis unless specifically exempted by CVEMSA. Such service shall commence five (5) days after the issuance of a permit unless CVEMSA grants the time limitation.

4001.7 INTERRUPTIONS OR DISCONTINUATION OF SERVICE FOR 911 PROVIDERS

- a. Permit holders shall immediately notify CVEMSA and other affected public safety agencies beforehand of any known or foreseeable interruptions, suspensions, or delays in services that may endanger the health, safety, and welfare of the residents of the area covered by the ambulance service.
- b. Ambulance services shall not discontinue any services to any area without first providing written notice to CVEMSA at least ninety (90) days before the proposed discontinuance. Failure to do so may result in the forfeiture of any bond held by CVEMSA.

4001.8 RIGHT OF INSPECTION

- a. CVEMSA shall inspect the records, facilities, vehicles, equipment, and methods of operation whenever such inspections are deemed necessary. Each permitted ambulance service, its equipment and premises, vehicle maintenance records, and records of calls shall be open to inspection by CVEMSA during usual hours of operation.

4001.9 NOTIFICATION OF ACTIONS BY GOVERNMENT AGENCIES

- a. Permit holders shall notify CVEMSA within five (5) days after the receipt of the results of all vehicle inspections conducted by the State and of any disciplinary action taken by any Federal, State or County agency regarding any ambulance license or related to the provision of ambulance services.

4001.10 DENIAL, SUSPENSION AND REVOCATION OF PERMITS

- a. A permit may be denied if the applicant or its employees, partners, officers, or directors commits or has committed any of the actions listed in Health and Safety Code Section 1798.200. In addition, a permit may be revoked or suspended for the following:
1. Applicant or permit holder knowingly makes any false statement or fails to disclose or suppresses another from disclosing material facts in an application, report, or other document furnished to CVEMSA.
 2. Applicant was previously the holder of a permit issued under the local Ordinance in which a permit has been revoked or not reissued and the terms or conditions of the suspension have not been fulfilled or corrected.
 3. Applicant is committing any act which, if committed by any permittee would be grounds for denial of a permit issued pursuant to the local Ordinance.
 4. Applicant has acted in the capacity of a permitted person or firm under the local ordinance without having a valid permit,
 5. Applicant or permit holder has entered a plea of guilty to, or been found guilty of, or been convicted of a felony or a crime involving moral turpitude, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal irrespective of an order granting probation following such conviction suspending the imposition of sentence, or of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the plea or verdict of guilty, or dismissing the accusation of information.in the case of an applicant,
 6. Applicant or permit holder is not the real party in interest in the business.
 7. Applicant or permit holder operates ambulance service in violation of any provision of the local Ordinance or any other law, regulation, or policy of the County, State, or Federal government pertaining to the operation of an ambulance.
 8. Applicant or permit holder knew or should have known of falsified data supplied to CVEMSA, or another governmental entity, local, state, or federal, during the course of operations, including, but not limited to, dispatch data, patient report data, response time data, financial data, or falsification of any other data permittee is required to submit to the above-named agencies.
 9. Failure to pay permit or other fees as required by a respective ordinance and/or assessed by CVEMSA.
 10. Applicant or permit holder provided emergency ambulance and/or advanced life support ambulance services within an EOA designated by CVEMSA without specific written permission of CVEMSA.
 11. Failure to obtain or maintain appropriate state, county, or federal permits or licenses.

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12. Applicant or permit holder director or representative and/or staff is required to register as a sex offender under the provisions of Section 290 of the California Penal Code and continues to be involved in the operation of ambulance service.
 13. Applicant or permit holder director or representative habitually or excessively uses or is addicted to the use of narcotics or dangerous drugs.
 14. Applicant or permit holder director or representative habitually or excessively uses intoxicating beverages. In the case of a driver has been culpably involved during the preceding year in any motor vehicle accident, causing death or bodily injury or in three or more motor vehicle accidents.
 15. Applicant or permit holder director or representative has been convicted during the previous seven years of any offense involving moral turpitude, including fraud or intentional dishonesty for personal gain.
 16. Applicant or permit holder director or representative has been convicted during the preceding seven years of theft or any felony involving force, violence, threat, or intimidation.
 17. Applicant or permit holder director or representative and/or staff aids or abets an unlicensed person to evade compliance with provisions of this chapter.
 18. Failure to maintain equipment in accordance with safe industry standards.
 19. Failure of permittee's employees to conduct themselves professionally and courteously, where reasonable remedial action has not been taken by the permittee.
 20. Failure to comply with any applicable service response time standards. "Failure" is defined as failure to meet or exceed such standards according to the terms outlined in any agreement for service with CVEMSA.
 21. Failure to meet bonding and insurance requirements as provided within this policy
 22. Provision of emergency ambulance services within any other ambulance service zone in violation of Section 4001.3(a)(7)(B).
 23. Any other willful acts or reckless or negligent acts or omissions of permittee which endanger the public's health and safety.

4001.11 CORRECTIVE ACTION

- a. Any permit issued may be suspended or revoked for good cause by an enforcement officer. "Good cause" for the purpose of this section, means a violation of state law, a violation of any of the provisions of this chapter, a violation of LEMSA policy, a violation of any condition of such permit or agreement, or failure to make payment of the required fee to the department.
- b. The following practices will be utilized before and during permit revocation or suspension:
 1. Whenever an enforcement officer finds that a permittee is not operating in compliance with their permit, a written notice to comply shall be issued to the

permit holder. If the permittee fails to comply within fifteen (15) days of the notice, the enforcement officer shall issue a second written notice to comply describing the acts or omissions with which the permittee is charged and informing them of their right to request a hearing.

2. At any time within a fifteen-day period after service of such notice, the EMS entity may request a hearing before the hearing officer to show cause why the permit or should not be suspended or revoked.
3. A failure to request a hearing within fifteen (15) days shall be deemed a waiver of a right to such a hearing.
4. Any hearing provided for in this section shall be conducted in accordance with Section 4001.12 of this policy.
5. A permit may be reinstated or a new one issued if the LEMSA determines that the conditions that prompted the suspension or revocation no longer exist.

4001.12 APPEALS

- a. Permit applications denied for reasons other than failure to submit a complete application or permit holders that have had a permit revoked may appeal the CVEMSA decision through a hearing process conducted in accordance with this section
- b. Upon receipt of a written request for a hearing, the hearing officer shall set a hearing date at the earliest practicable time. The hearing shall be held no later than fifteen (15) calendar days after receipt of the request for a hearing. Upon written request of one (1) of the parties, the hearing officer may postpone a hearing date, if circumstances warrant the action. The hearing officer shall give notice of the hearing to the parties at least ten (10) calendar days before the date of the hearing.
- c. When circumstances warrant, the hearing officer may order a hearing at any reasonable time within this fifteen-day period to expedite permit or provider agreement suspension or revocation process.
- d. Neither the provisions of the Administrative Procedure Act (Government Code Section 11500 et seq.) nor the formal rules of evidence in civil or criminal judicial hearings shall apply to such hearing. At the hearing, the hearing officer may admit any evidence, including witness testimony, relevant to the determination of the matter, except as otherwise provided in this chapter. A record of the hearing shall be made by any means, including electronic recording, so long as a reasonably accurate and complete written transcription of the proceedings can be made.
- e. The hearing officer shall issue a written notice of decision within five (5) working days following the hearing. Notice of the written decision, including findings of facts, conclusions of law, and notification of the time period in which judicial review may be

sought pursuant to Code of Civil Procedure Section 1094.6 shall be served on all parties. If the hearing was held to appeal an action against a permit or provider agreement, the notice of decision shall also specify the acts or omissions with which the permitted EMS entity or permit applicant is charged and shall state the terms of any applicable suspension or notice that a permit has been revoked. Any decision rendered by the hearing officer shall be a final administrative decision.

- f. Judicial Review. Hearing officer decisions shall be final, subject to judicial review under the provisions of California Code of Civil Procedure Sections 1094.5 and 1094.6. California Code of Civil Procedure Section 1094.6 governs limitation of time for filing petitions under Section 1094.5, as set forth in Sonoma County Code Section 1-7.5.