

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO EMERGENCY AND MEDICAL
3 TRANSPORTATION; AMENDING CHAPTER 3½ OF THE BROWARD COUNTY CODE
4 OF ORDINANCES (“CODE”); PROVIDING FOR DEFINITIONS AND NEW
5 CLASSIFICATIONS OF SERVICE; ESTABLISHING A DETERMINATION OF NEED
6 PROCESS; REVISING REQUIREMENTS AND PROCEDURES FOR CERTIFICATES
7 OF PUBLIC CONVENIENCE AND NECESSITY; RENUMBERING CHAPTER 3½ AS
8 CHAPTER 33; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE,
9 AND AN EFFECTIVE DATE.

10 (Sponsored by Commissioner Alexandra P. Davis)

11
12 WHEREAS, Chapter 3½ of the Broward County Code of Ordinances (“Code”)
13 requires that any person or entity that provides Advanced Life Support (“ALS”) or Basic
14 Life Support (“BLS”) service within Broward County must obtain a certificate of public
15 convenience and necessity (“certificate”) from Broward County;

16 WHEREAS, a review of current certificates and the Code has identified the
17 opportunity for a more structured, data-driven method of determining whether additional
18 EMS providers are necessary to meet community needs;

19 WHEREAS, the Broward County Board of County Commissioners (“Commission”)
20 finds that establishing a more structured process to determine need ensures an objective
21 and transparent framework for evaluating the County’s EMS capacity and identifying

22 where additional services, if any, are required to maintain adequate ALS and BLS
23 transport services; and

24 WHEREAS, the Commission finds that the amendments to the Code set forth
25 herein are in the best interest of Broward County,

26 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
27 BROWARD COUNTY, FLORIDA:

28 Section 1. Chapter 3½ of the Broward County Code of Ordinances is hereby
29 amended to read as follows:

30 **Chapter 3½**

31 **EMERGENCY AND MEDICAL TRANSPORTATION SERVICES AND**

32 **~~NONEMERGENCY MEDICAL TRANSPORTATION SERVICES~~**

33 **ARTICLE I. ADVANCED LIFE SUPPORT AND BASIC LIFE SUPPORT**

34 **Sec. 3½-1. Definitions.**

35 As used in this chapter:

36 *Advanced Life Support (ALS)* means treatment of life-threatening medical
37 emergencies using techniques such as endotracheal intubation, the administration of
38 drugs or intravenous fluids, telemetry, cardiac monitoring, and cardiac defibrillation by a
39 qualified person, pursuant to ~~Florida laws, rules, and regulations,~~ State of Florida and
40 local laws, rules, and regulations.

41 *Advanced Life Support Service (ALS Service)* means any emergency medical
42 transport or nontransport service that uses advanced life support techniques, pursuant to
43 ~~Florida laws, rules, and regulations,~~ State of Florida and local laws, rules, and regulations.

44 The term ALS Service shall be inclusive of the provision of BLS Service by an EMS
45 provider.

46 *Affiliated Entity* means any corporation, firm, limited liability company, partnership,
47 or other entity that directly or indirectly controls, is controlled by, or is under control with,
48 the entity applying for a certificate. Control may arise through ownership, management,
49 contractual arrangements, or other means, and shall be determined based on the totality
50 of the circumstances, including, but not limited to, (i) in the case of a corporation,
51 ownership, directly or through one (1) or more affiliates, of fifty percent (50%) or more of
52 the shares of stock entitled to vote for the election of directors; (ii) in the case of a
53 partnership, status as a general partner; (iii) in the case of any other type of legal entity,
54 ownership of fifty percent (50%) or more of the equity interests; (iv) any arrangement
55 whereby a party controls or has the power to control the board of directors or equivalent
56 governing body of the legal entity; and/or (v) circumstances that, even in the absence of
57 majority ownership or formal governance rights, demonstrate power and control such as
58 common management or shared key employees, familial relationships with identical or
59 substantially identical business interests, or contractual relationships that provide for
60 influence over business operations.

61 *Air ambulance* means any rotary-winged aircraft used for, or intended to be used
62 for, air transportation of sick or injured persons likely to require medical attention during
63 transport.

64 *ALS rescue vehicle* means any privately or publicly owned land, air, or water
65 vehicle that is designed, constructed, reconstructed, maintained, equipped, or operated

66 for, and is used for, or intended to be used for, conveying advanced life support equipment
67 and certified paramedics to persons who are sick, injured, or otherwise incapacitated.

68 *Basic Life Support (BLS)* means treatment of medical emergencies by a qualified
69 person through the use of techniques such as patient assessment, cardiopulmonary
70 resuscitation (CPR), splinting, obstetrical assistance, bandaging, administration of
71 oxygen, application of medical antishock trousers, administration of a subcutaneous
72 injection using a premeasured autoinjector of epinephrine to a person who may be
73 suffering an anaphylactic reaction, and other techniques described in the Emergency
74 Medical Technician Basic Training Course Curriculum of the United States Department
75 of Transportation. BLS also includes other techniques that have been approved and are
76 performed under conditions as approved by the State of Florida.

77 *Basic Life Support Service (BLS Service)* means any emergency medical transport
78 or nontransport service that uses basic life support techniques, pursuant to ~~Florida laws,~~
79 ~~rules, and regulations, and~~ State of Florida and local laws, rules, and regulations.

80 ~~*Board* means the Board of County Commissioners of Broward County, Florida.~~

81 *Broward County* means the incorporated and unincorporated areas of Broward
82 County.

83 *Certificate* means a certificate of public convenience and necessity issued
84 pursuant to this chapter.

85 *Code* means the Broward County Code of Ordinances.

86 *Commission* means the Board of County Commissioners of Broward County,
87 Florida.

88 *Communications center* means a public safety answering point or dispatching
89 center designated by the County Administrator.

90 *Consumer Protection Division or Division* means the County division assigned to
91 enforce this chapter.

92 *County* means Broward County, a political subdivision of the State of Florida.

93 *County Administrator* means the Broward County Administrator or designee.

94 *Emergency backup service* means a response by a nongovernmental EMS
95 provider at the request of the County when the County determines that sufficient EMS
96 resources are not readily available, including, but not limited to, situations involving mass
97 casualty incidents, hurricanes, pandemics, and other unforeseen disasters.

98 *Emergency call* means the response of an EMS provider to the scene of a reported
99 medical emergency under conditions that warrant travel with flashing lights and sirens
100 operating pursuant to the request of a communications center, a public safety agency, or
101 as otherwise provided by rules and regulations promulgated pursuant to this chapter.

102 *Emergency Medical Service (EMS) provider* means any person, firm, corporation,
103 association, local government, or other entity that holds a certificate and advertises or
104 engages in the business of providing ALS or BLS Service, including routine transfers.

105 *EMS transport vehicle or ambulance* means any privately or publicly owned land,
106 rotary-winged air, or water vehicle that is designed, constructed, reconstructed,
107 maintained, equipped, or operated for, and is used for, or intended to be used for, air,
108 land, or water transportation of sick or injured persons requiring or likely to require medical
109 attention during transport.

110 *Emergency Medical Technician* or *EMT* means any person who is trained in basic
111 life support and who is certified to perform such procedures in emergency situations in
112 accordance with Florida law.

113 ~~*Environmental and Consumer Protection Division (ECPD)* or *Division*~~ means the
114 County Division assigned to enforce this chapter.

115 ~~*License*~~ means a license issued to a nonemergency medical transportation service
116 provider pursuant to this chapter.

117 *Motor carrier* as used herein has the same definition as provided in Section 22½-1
118 of the Broward County Code of Ordinances.

119 ~~*Nonemergency medical transportation service*~~ means any privately or publicly
120 owned service employing a land, air, or water vehicle that is designed, constructed,
121 reconstructed, maintained, equipped, or operated for, and is used for, or intended to be
122 used for, land, air, or water transportation of persons who are confined to wheelchairs or
123 stretchers or whose condition makes it impractical to be transported by a motor carrier,
124 and whose condition is such that these persons do not need, nor are likely to need,
125 immediate medical attention during transport.

126 ~~*Nonemergency medical transportation service provider*~~ means any person, firm,
127 corporation, association, local government, or other entity that holds a nonemergency
128 medical transportation service license.

129 *Paramedic* means any person who possesses a valid paramedic certificate issued
130 in accordance with Florida law.

131 *Patient* means any person who needs emergency or nonemergency medical
132 treatment or transportation.

133 *Physician* means a person who is licensed to practice medicine in Florida under
134 the provisions of Chapter 458 or Chapter 459, Florida Statutes, as amended.

135 *Prehospital air ambulance service* means any publicly or privately owned service
136 that operates rotary-winged aircraft in conjunction with a community emergency medical
137 ALS or BLS first response system.

138 *Response time* means the interval of time between (i) the moment the certificate
139 holder's dispatch center receives a call requesting a response and (ii) ~~to~~ the moment the
140 certificate holder's ambulance arrives at the requested location of the pickup. Response
141 time for routine transfers means the interval of time between (i) such routine transfer
142 scheduled pickup time and (ii) the moment the certificate holder's ambulance arrives at
143 the requested location of the pickup.

144 *Routine transfer* means the transportation by ambulance of stretcher patients
145 under nonemergency conditions pursuant to this chapter. A routine transfer refers to
146 either an interfacility medical transfer between two (2) facilities licensed by the State of
147 Florida or a transfer that originates or terminates at a patient's residence.

148 *Small Business Enterprise Provider* means an EMS provider with a physical
149 business location within the geographical limits of Broward County (not including post
150 office boxes or addresses associated with a commercial mail receiving agency that
151 provides private mailboxes and accepts delivery of mail on behalf of another, such as a
152 business service center) that has an average annual gross revenue over the past three
153 (3) calendar years not exceeding Three Million Dollars (\$3,000,000) and has fifteen (15)
154 or fewer full-time employees. For purposes of eligibility, gross revenue and the number
155 of employees shall be aggregated with any Affiliated Entity. Eligibility is determined at the

156 time of application and is subject to verification by audit or other means as determined by
157 the County.

158 ~~Specialty transport means the transportation of an organ transplant patient or a~~
159 ~~patient on extracorporeal membrane oxygenation (ECMO) by an EMS transport vehicle~~
160 ~~either between two (2) facilities licensed under Chapter 395, Florida Statutes, or to or~~
161 ~~from an airport.~~

162 **Sec. 3½-2. Certificates required.**

163 Unless expressly exempted as provided in Section 3½-3 of this Code or
164 Section 401.25(2)(d)1, Florida Statutes, as amended, every person, firm, corporation,
165 association, local government, or other entity that provides ALS Service or BLS Service
166 within Broward County must obtain a eCertificate of public convenience and necessity
167 from the ~~Board~~ Commission, pursuant to the provisions of this chapter, and the
168 appropriate license issued by the State of Florida pursuant to Chapter 401, Florida
169 Statutes, as amended.

170 **Sec. 3½-3. Exemptions.**

171 The following vehicles and ambulances are exempt from the provisions of this
172 chapter:

173 (a) Vehicles or ambulances exempt under Section 401.33, Florida Statutes, as
174 amended;

175 (b) Government-owned or -operated vehicles not ordinarily used for the
176 treatment of life-threatening medical emergencies or the transportation of persons who
177 are sick, injured, or otherwise incapacitated;

178 (c) Vehicles used to transport patients during major catastrophes or
179 emergencies when ambulances holding County certificates and sState of Florida licenses
180 are insufficient in number to render the services needed as determined by the County,
181 the communications center, or a public safety agency;

182 (d) Ambulances based outside Broward County that are licensed in accordance
183 with the ambulance originating jurisdiction requirements and that:

184 (1) Pick up patients within Broward County for transportation to a location
185 outside Broward County; or

186 (2) Pick up patients outside Broward County for transportation to a location in
187 Broward County;

188 (e) Ambulances owned or operated by the State of Florida or the United States;

189 (f) Fire department vehicles used as an integral part of a fire suppression
190 response unit, which vehicles may be used from time to time to transport firefighters in
191 need of medical attention; however, basic or advanced life support units are not exempt
192 under this section;

193 (g) Wheelchair transport service vehicles provided by any organization or
194 person, if:

195 (1) The service is a public bus system;

196 (2) The service is a public or private school bus system, the principal business
197 of which is to transport schoolchildren to and from school or school-related
198 activities; or

199 (3) The service is provided as an uncompensated courtesy;

200 (h) ~~Wheelchair-accessible~~ Wheelchair accessible vehicles regulated under
201 Chapter 22½ of the ~~Broward County Code of Ordinances;~~ and

202 (i) ~~Vehicles owned or operated directly by hospitals to transport patients to or~~
203 ~~from the hospitals or other medical facilities, if the hospitals do not charge a fee for this~~
204 ~~service; or vehicles that are owned or operated directly by hospitals to transport~~
205 ~~nonemergency patients whose medical condition is such that they are confined to a~~
206 ~~wheelchair or to a stretcher but who do not need, nor are likely to need, medical attention~~
207 ~~during transport; and~~

208 (j) Fixed-wing aircraft used for or intended to be used for air transportation of
209 sick or injured persons who may need medical attention during transport.

210 **Sec. 3½-4. Classifications of service.**

211 (a) A certificate must be obtained from the County prior to performing the
212 applicable service below:

213 (1) *Class 1 - ALS rescue.* A governmental EMS provider with the capability of
214 rendering ~~on the~~ on-scene prehospital ALS Service and BLS Service and
215 that may or may not elect to transport a patient. A governmental EMS
216 provider holding a Class 1 - ALS rescue certificate may provide the
217 applicable level of service ~~within its jurisdictional boundaries.~~ A
218 governmental EMS provider may contract with one (1) or more EMS
219 providers for ALS rescue service. An EMS provider rendering this level of
220 medical service for a governmental entity, pursuant to an agreement with
221 the governmental entity, must operate under the Class 1 - ALS rescue
222 certificate held by the governmental entity.

- 223 (2) *Class 2 - ALS transfer.* An EMS provider providing ALS routine transfers.
- 224 a. An EMS provider that is awarded a Class 2 - ALS transfer certificate
- 225 is prohibited from responding to an emergency call and providing
- 226 ALS Service unless:
- 227 1. The EMS provider is a governmental entity holding a Class 1
- 228 - ALS rescue certificate; or
- 229 2. The EMS provider is called upon by a governmental entity to
- 230 provide emergency backup service or contracts with a
- 231 governmental entity to provide Class 1 - ALS rescue service.
- 232 When the EMS provider is a nongovernmental entity, it must
- 233 operate under the Class 1 - ALS rescue certificate of the
- 234 governmental entity requesting such emergency backup
- 235 service or contracting for the provision of Class 1 - ALS rescue
- 236 service.
- 237 b. A nongovernmental EMS provider that holds a Class 2 - ALS transfer
- 238 certificate may provide ALS routine transfers within Broward County,
- 239 ~~not restricted by emergency call zones.~~
- 240 c. A governmental EMS provider that holds a Class 2 - ALS transfer
- 241 certificate may provide Class 2 - ALS transfer service within its
- 242 jurisdictional boundaries or where a patient resides within its
- 243 jurisdictional boundaries. A governmental entity may contract with
- 244 one (1) or more EMS providers that hold a Class 2 - ALS transfer
- 245 certificate for routine transfers that originate or terminate within the

246 governmental entity's jurisdictional boundaries or where the patient
247 resides within its jurisdictional boundaries.

248 (3) *Class 3 - BLS transport.* An EMS provider with the capability of rendering
249 BLS Service and transporting patients.

250 a. Nongovernmental BLS transport certificate holders must provide
251 emergency backup BLS transport service ~~within one (1) or more~~
252 ~~emergency call zones identified in Section 3½-5 below and assigned~~
253 ~~by the Board.~~

254 b. A nongovernmental EMS provider that holds a Class 3 - BLS
255 transport certificate may provide BLS routine transfers within
256 Broward County, ~~not restricted by emergency call zones.~~

257 c. A governmental EMS provider that holds a Class 2 - ALS transfer
258 certificate may provide Class 3 - BLS transport service within its
259 jurisdictional boundaries or where a patient resides within its
260 jurisdictional boundaries. A governmental entity may contract with
261 one (1) or more EMS providers that hold a Class 3 - BLS transport
262 certificate for BLS routine transfers or BLS transports that originate
263 or terminate within the governmental entity's jurisdictional
264 boundaries, or where the patient resides within its jurisdictional
265 boundaries.

266 (4) *Class 4 - ALS air rescue (rotary-winged aircraft).* A governmental EMS
267 provider with the capability of providing prehospital air ALS transport
268 service.

- 269 (5) ~~Class 5 - ALS specialty transport. An EMS provider providing specialty~~
270 ~~transport.~~
- 271 a. ~~An EMS provider that is awarded a Class 5 - ALS specialty transport~~
272 ~~certificate is prohibited from responding to an emergency call and~~
273 ~~from providing ALS Service unless the EMS provider is called upon~~
274 ~~by a governmental entity to provide emergency backup service or the~~
275 ~~EMS provider contracts with a governmental entity to provide~~
276 ~~Class 1 - ALS rescue service, in which instances the EMS provider,~~
277 ~~if a nongovernmental entity, must operate under the Class 1 - ALS~~
278 ~~rescue certificate of the governmental entity requesting such~~
279 ~~emergency backup service or contracting for the provision of~~
280 ~~Class 1 - ALS rescue service.~~
- 281 b. ~~An EMS provider that holds a Class 5 - ALS specialty transport~~
282 ~~certificate may provide specialty transport within Broward County,~~
283 ~~not restricted by emergency call zones.~~
- 284 c. ~~An EMS provider that holds a Class 1 - ALS rescue certificate or a~~
285 ~~Class 2 - ALS transfer certificate may provide specialty transport~~
286 ~~under that certificate.~~
- 287 (5) Class 5 - BLS transport by Small Business Enterprise Providers. An EMS
288 provider that meets the definition of Small Business Enterprise Provider and
289 is authorized to provide BLS routine transfers.
- 290 a. A Small Business Enterprise Provider may only provide BLS routine
291 transfers within Broward County.

314 certificate for twelve (12) months from the date of the written notice
315 or hearing determination, as applicable.

316 (b) Routine transfers are restricted exclusively to EMS providers that hold a
317 Class 2 - ALS transfer ~~and/or~~ certificate, a Class 3 - BLS transport certificate, or a
318 Class 5 - BLS transport by Small Business Enterprise Provider certificate, and are limited
319 to the provision of ALS Service and/or BLS Service as authorized by the certificate. ~~EMS~~
320 ~~providers that hold a Class 5—ALS specialty transport certificate may provide specialty~~
321 ~~transport.~~

322 (c) Municipalities holding the applicable certificate may provide ALS Service or
323 BLS Service only (i) within their municipal boundaries except when providing mutual aid,
324 automatic aid, or closest unit response to surrounding areas on a per-call basis, or
325 (ii) when a governmental entity enters into an interlocal agreement with another
326 governmental entity to provide ground ALS or BLS Service to areas within the other
327 entity's boundaries.

328 (d) A nongovernmental EMS provider must have at least one (1) vehicle
329 available to provide emergency backup service twenty-four (24) hours per day, seven (7)
330 days a week.

331 **Sec. 3½-5. Emergency call zones Determination of Need for Class 2, Class 3, and**
332 **Class 5 Certificates.**

333 (a) ~~The emergency call zones for nongovernmental EMS providers that hold a~~
334 ~~Class 3—BLS transport certificate are as follows:~~

335 (1) ~~Zone No. 1. Zone 1 comprises the following cities and unincorporated~~
336 ~~areas: Lighthouse Point, Deerfield Beach, Pompano Beach, Coconut~~

337 ~~Creek, Sea Ranch Lakes, Lauderdale-By-The-Sea, and Hillsboro Beach.~~
338 ~~Zone 1 is bounded on the north by the Broward County/Palm Beach County~~
339 ~~boundary line from State Road 7 to the Atlantic Ocean; on the south along~~
340 ~~and including McNab Road from the Florida Turnpike to the Intracoastal~~
341 ~~Waterway south along the waterway to the Fort Lauderdale/Lauderdale-By-~~
342 ~~The-Sea boundary line; on the east along the Atlantic Ocean from the~~
343 ~~Broward County/Palm Beach County boundary line to the Fort~~
344 ~~Lauderdale/Lauderdale-By-The-Sea boundary line; on the west along State~~
345 ~~Road 7 but not including Margate, North Lauderdale, and Tamarac to~~
346 ~~McNab Road;~~

347 (2) ~~Zone No. 2. Zone 2 comprises the following cities and unincorporated~~
348 ~~areas: Parkland, Coral Springs, Margate, Tamarac, North Lauderdale,~~
349 ~~Sunrise, Conservation Area 2-A, and the unincorporated area at the vertex~~
350 ~~of State Road 7 and the Florida Turnpike. Zone 2 is bounded on the north~~
351 ~~by the Broward County/Palm Beach County boundary line from~~
352 ~~State Road 7 to the Conservation Area 2-A; on the south by the City of~~
353 ~~Lauderhill/Plantation boundary line from State Road 7 to the Conservation~~
354 ~~Area 2-B; on the east along and including State Road 7, including the areas~~
355 ~~of Margate, North Lauderdale, and Tamarac situated east of State Road 7~~
356 ~~from the Broward County/Palm Beach County boundary line to Commercial~~
357 ~~Boulevard; on the west along the Conservation Area 2-A from the Broward~~
358 ~~County/Palm Beach County boundary line to the Sunrise/Davie boundary~~
359 ~~line;~~

360 (3) ~~Zone No. 3. Zone 3 comprises the following cities and unincorporated~~
361 ~~areas: Davie, Cooper City, Pembroke Pines, Miramar, Plantation, Weston,~~
362 ~~Southwest Ranches, and Conservation Areas 2-B and 3-A, also known as~~
363 ~~the Everglades. Zone 3 is bounded on the north by the Plantation/Sunrise~~
364 ~~city boundary line from State Road 7 to Conservation Area 2-B; on the west~~
365 ~~along Conservation Area 2-A to the Hendry County/Broward County~~
366 ~~boundary line; on the south along the Broward County/Miami-Dade County~~
367 ~~boundary line from State Road 7 to the Collier County/Broward County~~
368 ~~boundary line; on the east along the Seaboard Railroad tracks from State~~
369 ~~Road 84 to Stirling Road, along but excluding State Road 7 from Stirling~~
370 ~~Road to the Broward County/Miami-Dade County boundary line and~~
371 ~~excluding that section of Hollywood situated west of State Road 7 along the~~
372 ~~Broward County/Collier-Hendry County boundary line from the Broward~~
373 ~~County/Miami-Dade County boundary line to the Broward County/Palm~~
374 ~~Beach County Conservation Area 2-A boundary line;~~
375 (4) ~~Zone No. 4. Zone 4 comprises the following cities and unincorporated~~
376 ~~areas: Fort Lauderdale, Oakland Park, Wilton Manors, Dania Beach, Lazy~~
377 ~~Lake, Lauderdale Lakes, and Lauderdale Hill. Zone 4 is bounded on the north~~
378 ~~along and to exclude McNab Road from the Florida Turnpike to the~~
379 ~~Intracoastal Waterway south along the waterway to the Fort~~
380 ~~Lauderdale/Lauderdale-By-The-Sea boundary line; on the south from~~
381 ~~State Road 7 along and inclusive of State Road 84 to I-95; on the south~~
382 ~~along the Seaboard Railroad tracks to Stirling Road, following the City of~~

383 ~~Hollywood boundary line from Stirling Road inclusive of Port Everglades to~~
384 ~~the Atlantic Ocean; on the east along the Atlantic Ocean from Port~~
385 ~~Everglades entrance to Lauderdale By The Sea boundary line; on the west~~
386 ~~along and including State Road 7 including the areas of Lauderdale~~
387 ~~Lakes/Lauderhill from Commercial Boulevard to State Road 84 and~~
388 ~~excluding that portion of Tamarac situated east of State Road 7; and~~

389 (5) ~~Zone No. 5. Zone 5 comprises the following cities and unincorporated~~
390 ~~areas: Hollywood, Hallandale Beach, West Park, and Pembroke Park.~~
391 ~~Zone 5 is bounded on the north by the City of Hollywood boundary line from~~
392 ~~Davie Road extension to the Atlantic Ocean including Stirling Road and~~
393 ~~Sheridan Street but excluding Port Everglades; on the south along the~~
394 ~~Broward County/Miami Dade County boundary line from State Road 7 to~~
395 ~~the Atlantic Ocean; on the east along the Atlantic Ocean from the Broward~~
396 ~~County/Miami Dade County boundary line to Port Everglades; on the west~~
397 ~~along the western boundary line of Hollywood along and including~~
398 ~~State Road 7 from the southern boundary line of Hollywood to the Broward~~
399 ~~County/Miami Dade County boundary line.~~

400 (b) ~~A map of the emergency call zones is attached hereto and made a part~~
401 ~~hereof as Exhibit A.~~

402 (c) ~~A nongovernmental EMS provider that holds a Class 3 - BLS transport~~
403 ~~certificate may provide emergency backup service outside of its respective emergency~~
404 ~~call zone pursuant to a contract with a governmental entity.~~

405 (d) ~~The nongovernmental EMS provider must station a vehicle within the~~
406 ~~serviced emergency zone.~~

407 (a) This section does not apply to Class 1 - ALS Rescue or Class 4 - ALS Air
408 Rescue certificates.

409 (b) Prior to accepting any applications for a nongovernmental Class 2 - ALS
410 transfer, Class 3 - BLS transport, or Class 5 - BLS transport by Small Business Enterprise
411 Provider certificate, the County Administrator shall determine whether a need exists for
412 such services.

413 (c) To determine whether one (1) or more certificate classifications require
414 additional providers, the County Administrator shall evaluate the following factors:

415 (1) Unit Hour Utilization:

416 a. The County Administrator shall evaluate the average unit hour
417 utilization of existing EMS providers within Broward County.

418 b. Unit hour utilization is defined as the total time of transports divided
419 by the number of unit hours ambulances are available for service.

420 c. A target utilization range of 0.30 to 0.50 shall be used as a
421 benchmark to assess system capacity, efficiency, and the need for
422 additional resources. Utilization levels exceeding 0.50 may indicate
423 unmet demand, while levels below 0.30 may indicate excess
424 capacity.

425 (2) Trip-to-Ambulance Ratio: The County Administrator shall evaluate system
426 capacity using a benchmark of five (5) trips per ambulance, expressed as a
427 5:1 trip-to-ambulance ratio.

428 (3) Ambulance-to-Population Ratio: The County Administrator shall evaluate
429 the number of permitted ambulances relative to the population within the
430 service area using a benchmark ratio range of one (1) ambulance per
431 13,000 to 53,000 people. This ratio shall be considered in conjunction with
432 other system performance metrics, including unit hour utilization and
433 ambulance-to-trip ratio, and shall not be applied in isolation.

434 (4) Stakeholder input, including municipalities, hospitals and other medical
435 facilities, the EMS Council, and the Broward County Office of Medical
436 Examiner and Trauma Services; and

437 (5) Any other factors the County Administrator deems relevant to public health,
438 safety, convenience, and necessity.

439 (d) The County Administrator shall make a determination of need on an annual
440 basis using the criteria set forth in this section. If the County Administrator determines
441 that a need exists for additional EMS providers, it shall open an application window. If the
442 County Administrator determines that no need exists, the County Administrator shall not
443 open an application window.

444 (e) Notwithstanding Section 3½-5(d), beginning in fiscal year 2026, the County
445 Administrator shall open an application window at least once every three (3) fiscal years,
446 regardless of whether a determination of need has been made, and shall open an
447 application window at other times upon a Commission finding that an application window
448 should be opened in the best interest of public health, safety, and welfare.

449 Section 2. A new Section 3½-6 of the Broward County Code of Ordinances is
450 hereby created to read as follows:

451 [Underlining omitted]

452 **Sec. 3½-6. Applications for Class 2, Class 3, and Class 5 Certificates.**

453 (a) This section applies only to applications for nongovernmental Class 2 - ALS
454 transfer, Class 3 - BLS transport, and Class 5 - BLS transport by Small Business
455 Enterprise Provider certificates. This section does not apply to Class 1 - ALS rescue or
456 Class 4 - ALS air rescue certificates.

457 (b) An application window for Class 2, Class 3, or Class 5 certificates shall be
458 opened only as provided in Section 3½-5.

459 (c) The County Administrator shall provide written notice, which may be by
460 email, at least thirty (30) days before the opening of the application window to:

461 (1) All current certificate holders;

462 (2) All municipalities; and

463 (3) The general public via posting on the County's website.

464 (d) The application window shall remain open for sixty (60) days. During this
465 period, applications may be submitted only for the certificate classifications identified in
466 the authorized application window.

467 (e) No application shall be accepted for a Class 2, Class 3, or Class 5 certificate
468 except during an authorized application window.

469 (f) Applications submitted during an authorized window must include the
470 information required by Section 3½-7.

471 Section 3. Section 3½-7 of the Broward County Code of Ordinances is hereby
472 repealed in its entirety, and former Section 3½-6 of the Broward County Code of
473 Ordinances is hereby renumbered as Section 3½-7 and amended to read as follows:

474 **Sec. ~~3½-6~~ 3½-7. ~~EMS Review Committee Applications.~~**

475 (a) All potential EMS providers (individually referred to as “applicant” within this
476 section) desiring to hold a County certificate must obtain a certificate from the ~~Board~~
477 Commission pursuant to the provisions herein and subject to such rules and regulations
478 as may be promulgated by the County.

479 (b) An applicant desiring to obtain a County certificate must submit an
480 application to the County Administrator using the forms required by the County and
481 accompanied by a nonrefundable application fee in the amount established by resolution
482 of the ~~Board~~ Commission.

483 (c) Applications. All applications for ALS Service and BLS Service must include
484 the following information:

485 (1) ~~The specific geographic area or emergency zone (“area”) and approximate~~
486 ~~population of the area that the applicant desires to serve;~~

487 ~~(2)~~ (2) The name under which the applicant will operate the ALS Service or BLS
488 Service;

489 ~~(3)~~ (2) The date of incorporation or formation of the local government, firm,
490 corporation, association, or other entity;

491 ~~(4)~~ (3) The name, address, telephone number, ~~e-mail~~ email address, and title of
492 the appropriate government official or, as applicable, the general manager,
493 owners, officers, and directors of the firm, corporation, association, or other
494 entity seeking a certificate;

495 ~~(5)~~ (4) If the applicant is a governmental entity, the amount of money that the
496 applicant has budgeted for the classification of services for which the
497 application is submitted;

498 ~~(6)~~ (5) If the applicant is a nongovernmental entity, Ffinancial information ~~of a~~
499 ~~nongovernmental applicant~~ to ensure its financial ability to provide and to
500 continue to provide service to the area in a safe, comfortable, and reliable
501 manner. Financial information includes, but is not limited to:

502 a. The applicant's two (2) most recent years of Medicare audits, if any;

503 b. Three (3) years of the most recent audited financial statements of the
504 entity and its parent company or holding company, if any. For
505 purposes of this subsection, a parent company or holding company
506 means any person or entity holding, owning, or in control of more
507 than ten percent (10%) of the stock or ownership interest in the
508 applicant's entity;

509 c. If the applicant is a corporation, the type and number of shares
510 outstanding and the names and addresses of all shareholders; and

511 d. The financial responsibility of the applicant to maintain insurance for
512 the payment of personal injury, death, and property damage claims;

513 ~~(7)~~ (6) Certificates of insurance or certificates of self-insurance in compliance with
514 this chapter;

515 ~~(8)~~ (7) The length of time the applicant has been providing EMS service in Broward
516 County, if the applicant is seeking a renewal certificate;

- 540 ~~(14)~~ (13) Written evidence that the applicant has employed or contracted with a
541 medical director if required by Florida law;
- 542 ~~(15)~~ (14) A statement from an applicant seeking to perform ALS Service and signed
543 by its medical director attesting that all the applicant's EMTs and
544 paramedics are certified, qualified, and authorized to perform basic and
545 advanced life support;
- 546 ~~(16)~~ (15) Proposed response time, including a description of the source for such
547 information;
- 548 ~~(17)~~ (16) Other information as may be deemed necessary by the County
549 Administrator or designee;
- 550 ~~(18)~~ (17) A sworn statement signed by the applicant or its authorized representative
551 stating that all the information provided by the applicant is true and correct
552 under the penalty of perjury; and
- 553 ~~(19)~~ (18) For new applicants, ~~subsections (6)d, (7), (8), (9), (10), (11), (12), (12)b,~~
554 ~~and (14) of Section 3½-6(c) Sections 3½-7(5)(d), (6), (7), (8), (9), (10), (11),~~
555 and (13) must be identified in the application as proposed items because
556 such items are not requirements until such time that the applicants are
557 awarded a certificate by the ~~Board~~ Commission.
- 558 ~~(d) Subsequent to receiving the application and application fee, the County will~~
559 ~~consider the following information, as applicable, for a certificate:~~
- 560 ~~(1) The application submitted by the applicant.~~
- 561 ~~(2) The approximate number of monthly emergency calls within the applicable~~
562 ~~area.~~

- 563 (3) ~~The response times of existing EMS providers, excluding Class 1 – ALS~~
564 ~~rescue and Class 4 – ALS air rescue, as compared with the benchmark~~
565 ~~response times as stated in each EMS provider’s most recent application.~~
- 566 (4) ~~The past performance and service record of the applicant obtained from~~
567 ~~sources such as hospitals, local public safety agencies, and the State of~~
568 ~~Florida, Emergency Medical Services Section.~~
- 569 (5) ~~A County conducted survey of the community’s needs for Class 2 – ALS~~
570 ~~transfer and Class 3 – BLS transport classifications.~~
- 571 (6) ~~The overall need for the proposed service in the area.~~
- 572 (7) ~~Other information the County may deem necessary.~~
- 573 (e) (d) The EMS Review Committee, as established in Section ~~3½-7~~ below 3½-9,
574 ~~must review all new applications for certificates, consider the items in Sections 3½-6(d),~~
575 ~~and make recommendations for approval or denial to the Board Commission, through the~~
576 ~~County Administrator. Based upon the information received in the applications and the~~
577 ~~recommendation of the EMS Review Committee, and after completion of any appropriate~~
578 ~~investigation, the County Administrator shall recommend to the Board the granting or~~
579 ~~denial of certificates reviewed by the EMS Review Committee. after considering the~~
580 ~~following factors:~~
- 581 (1) The factors set forth in Section 3½-5;
582 (2) The application submitted by the applicant;
583 (3) The information provided by EMS providers pursuant to Section 3½-14(g);

584 (4) The applicant's past performance and service record, including information
585 obtained from hospitals, local public safety agencies, and the State of
586 Florida, Emergency Medical Services Section; and

587 (5) Any other information the EMS Review Committee may deem necessary.

588 (e) The EMS Review Committee will review renewal applications for certificates
589 in accordance with Section 3½-10 and make recommendations for approval or denial to
590 the Commission through the County Administrator.

591 (f) ~~Subsequent to receiving the recommendation of the County Administrator,~~
592 ~~the Board must hold a public hearing to consider pending applications for certificates. The~~
593 ~~County Administrator must provide thirty (30) days' written notice of the public hearing by~~
594 ~~U.S. mail, or e-mail, or facsimile when authorized, to all applicants, current certificate~~
595 ~~holders, as applicable based on the classification of service, and the mayors and city~~
596 ~~managers of each municipality in Broward County, of the date, time, and place of the~~
597 ~~public meeting. Based upon the information received in the applications and the~~
598 ~~recommendation of the EMS Review Committee, and after completion of any appropriate~~
599 ~~investigation, the County Administrator shall recommend to the Commission the granting~~
600 ~~or denial of certificates reviewed by the EMS Review Committee.~~

601 (g) ~~Public Hearing for Certificates. At the public hearing, the Board must~~
602 ~~determine whether the public convenience and necessity of the residents of Broward~~
603 ~~County would be best served by granting or by denying such applications. In making its~~
604 ~~determination, the Board will consider the items in Section 3½-6(d), and the following:~~

605 (1) ~~The recommendations of the County Administrator or designee and the~~
606 ~~County's local trauma agency;~~

- 607 (2) ~~Except for Class 1 – ALS rescue and Class 4 – ALS air rescue classifications,~~
608 ~~the adequacy of the management plan of the applicant;~~
- 609 (3) ~~The benefits that will accrue to the public interest from the proposed service~~
610 ~~including, but not limited to the community’s need for additional service.~~
611 ~~Except for Class 1 – ALS rescue and Class 4 – ALS air rescue classifications,~~
612 ~~the applicant has the burden of proving that there is such a need by~~
613 ~~providing verifiable documents and other evidence;~~
- 614 (4) ~~The results of a County-conducted survey of the community’s needs;~~
- 615 (5) ~~Any recommendations from municipalities within Broward County;~~
- 616 (6) ~~All relevant matters presented at the public hearing; and~~
- 617 (7) ~~Other matters deemed to be in the best interests of the public health, safety,~~
618 ~~welfare, convenience, and necessity of the residents of Broward County.~~
- 619 . . .

620 Section 4. Section 3½-8 of the Broward County Code of Ordinances is hereby
621 repealed in its entirety, and a new Section 3½-8 is hereby created to read as follows:

622 [Underlining omitted]

623 **Sec. 3½-8. Public Hearing for Certificates and Length of Certificates.**

624 (a) Subsequent to receiving the recommendation of the County Administrator,
625 the Commission must hold a public hearing to consider pending applications for
626 certificates. The County Administrator must provide at least thirty (30) days’ written notice
627 of the public hearing (which may be by U.S. mail, email, or facsimile) to all applicants and
628 current certificate holders based on the classification of service, and to the mayors and

629 the city managers of each municipality in Broward County, of the date, time, and place of
630 the public meeting.

631 (b) Public Hearing for Certificates. At the public hearing, the Commission must
632 determine whether the public convenience and necessity of Broward County would be
633 best served by granting or by denying such applications. In making its determination, the
634 Commission will consider the items in Section 3½-5, and the following:

635 (1) The recommendations of the County Administrator or designee and the
636 County's local trauma agency;

637 (2) The benefits that will accrue to the public interest from the proposed service,
638 including, but not limited to, the community's need for additional service.

639 Except for Class 1 - ALS rescue and Class 4 - ALS air rescue classifications,
640 the applicant has the burden of proving that there is such a need by
641 providing verifiable documents and other evidence;

642 (3) Any recommendations from municipalities within Broward County;

643 (4) All relevant matters presented at the public hearing; and

644 (5) Other matters deemed to be in the best interest of the public health, safety,
645 welfare, convenience, and necessity of Broward County.

646 (c) Upon making a determination, the Commission must grant or deny the
647 certificate.

648 (d) If the Commission denies a certificate, the Division may not accept the same
649 or substantially the same application for a period of twelve (12) months after the date of
650 the denial by the Commission. The Commission may waive this Section 3½-8(d) if it
651 determines that accepting an application is in the best interest of Broward County.

652 (e) Subsequent to the Commission's granting of, but prior to the issuance of, a
653 certificate by the County Administrator, the EMS provider must pay to the County a
654 certificate fee in the amount set by resolution of the Commission. The fee will be used to
655 defray the cost of monitoring compliance with this chapter and the rules and regulations
656 promulgated by the County Administrator.

657 (f) Subsequent to the Commission's granting of, but prior to the issuance of, a
658 certificate by the County Administrator, nongovernmental EMS providers must enter into
659 an agreement with the County that must include provisions addressing an annual
660 administrative fee, County-mandated rates, and emergency backup service obligations.

661 (g) A certificate for ALS rescue, ALS transfer, or ALS air rescue granted by the
662 Commission is valid for the time period established by the Commission and shall not
663 exceed five (5) years, unless otherwise revoked, suspended, or modified.

664 (h) A certificate for BLS transport or BLS transport by a Small Business
665 Enterprise Provider granted by the Commission is valid for the time period established by
666 the Commission and shall not exceed five (5) years, unless otherwise revoked,
667 suspended, or modified.

668 (i) The County, in its sole discretion, may elect to extend the certificate for
669 additional five (5) year terms upon a finding that the EMS provider has substantially
670 complied with the requirements of this chapter, all applicable rules and regulations, and
671 any contract that the County enters into with the EMS provider. If the County desires to
672 extend the certificate, the County must furnish the EMS provider with written notice
673 thereof at least ninety (90) days prior to the end of the applicable period.

674 Section 5. Former Sections 3½-7 through 3½-15 of the Broward County Code
675 of Ordinances are hereby renumbered as Sections 3½-9 through 3½-17 and amended to
676 read as follows:

677 **Sec. ~~3½-7~~ 3½-9. EMS Review Committee.**

678 (a) The EMS Review Committee is a standing committee established by the
679 Broward Regional Emergency Medical Services Council (“EMS Council”) to review new
680 applications for certificates and, if the Division has investigated or received an adjudicated
681 complaint against the EMS provider within the past certificate period, renewal
682 applications. ~~The recommendations of the EMS Review Committee must be based on the~~
683 ~~factors set forth in Section 6½-6(d) and the rules and regulations promulgated by the~~
684 ~~County pursuant to this chapter.~~

685 (b) The EMS Review Committee shall be composed of seven (7) members from
686 the EMS Council as follows:

- 687 (1) A representative from the Broward County Sheriff’s Office, Fire Rescue
688 Department;
- 689 (2) A representative from a municipal EMS provider;
- 690 (3) A representative from a ~~nongovernmental EMS provider~~ Broward County
691 hospital;
- 692 (4) A physician or nurse; and
- 693 (5) Any three (3) other members of the EMS Council.
- 694 (c) A quorum for the EMS Review Committee shall be four (4) members.

695 **Sec. ~~3½-8~~ 3½-10. Renewal of certificates.**

696 (a) Applications for renewal of certificates must be submitted to the Division
697 using the forms required by the County and accompanied by a nonrefundable application
698 fee in the amount established by resolution of the ~~Board~~ Commission. Applications will
699 not be processed prior to receipt of the applicable fee.

700 (b) The Division will review renewal applications for certificates. If the Division
701 has not received any adjudicated complaints against a current EMS provider within the
702 past certificate period and has investigated the application pursuant to Section ~~3½-6(d)~~
703 ~~above~~ 3½-7, the Division must renew the certificate. If the Division has received a
704 complaint against a current EMS provider within the past certificate period, the Division
705 must forward the renewal application to the EMS Review Committee for its review and
706 recommendation to the ~~Board~~ Commission, through the County Administrator.
707 Subsequent to receiving the recommendation of the County Administrator, the ~~Board~~
708 Commission must hold a public hearing in accordance with Section ~~3½-6~~ 3½-8 to
709 consider the renewal application.

710 **Sec. ~~3½-9~~ 3½-11. Transfer or assignment of certificate.**

711 (a) Certificates issued pursuant to this chapter are not assignable or
712 transferable except upon approval by the ~~Board~~ Commission and subject to the same
713 application, investigation, fees, and public hearing as original applications for certificates.

714 (b) A change in a majority of the ownership or a controlling interest of the EMS
715 provider will be deemed a transfer or assignment. This section does not apply to
716 governmental EMS providers.

717 **Sec. ~~3½-10~~ 3½-12. Insurance.**

718 (a) Every nongovernmental EMS provider must carry bodily injury and property
719 damage insurance with an insurance carrier or company qualified as an insurance
720 company authorized to transact insurance in the State of Florida to secure payment for
721 any loss or damage resulting from any occurrence arising out of or caused by the
722 operation or use of any of the provider's EMS transport vehicles. Each EMS transport
723 vehicle, including owned, hired, and nonowned vehicles, must be insured for a minimum
724 of One Million Dollars (\$1,000,000) for each occurrence, combined single limit bodily
725 injury, death, or property damage liability. Each EMS provider that employs medical
726 personnel must maintain malpractice insurance in an amount not less than One Million
727 Dollars (\$1,000,000) for each occurrence. If an EMS provider does not employ medical
728 personnel, the provider must provide the County with satisfactory evidence of malpractice
729 insurance in the amount of One Million Dollars (\$1,000,000) from the entity providing the
730 medical personnel.

731 . . .

732 **Sec. ~~3½-11~~ 3½-13. Rates.**

733 (a) All certificate holders must provide the Division with a schedule of the rates
734 that they charge for services rendered to patients as part of their application and when
735 new rates are proposed.

736 (b) All certificate holders must itemize all amounts charged for services
737 rendered when billing or notifying users of their services.

738 **Sec. ~~3½-12~~ 3½-14. Rules, regulations, and reporting.**

739 (a) EMS providers must comply with all applicable laws, rules, and regulations
740 set forth in Florida law, the Florida Administrative Code, the Broward County Code of
741 Ordinances, and the Broward County Administrative Code.

742 (b) *Personnel.*

743 (1) An EMS provider must submit in writing the name, level of certification, and
744 expiration date of such certification for each of its employees to the Division
745 and provide written updates of any personnel changes on an annual basis.

746 (2) No EMS provider will permit an EMT, paramedic, driver, or physician to
747 provide patient care if the EMT, paramedic, driver, or physician has pled
748 guilty or nolo contendere or has been convicted, even if adjudication was
749 withheld, of a misdemeanor or felony involving murder, manslaughter,
750 sexual battery, grand theft, or the sale or possession of illegal drugs and
751 has not been discharged from probation or parole or released from
752 incarceration within the past five (5) years. Any person who meets the
753 criteria of a habitual offender under Section 775.084, Florida Statutes, as
754 amended, shall not be employed by any EMS provider awarded a certificate
755 by the ~~Board~~ Commission.

756 . . .

757 (d) *Standards and Requirements for EMS Providers Providing ALS Service.*

758 (1) Each ALS rescue vehicle (other than an air ambulance) must be staffed with
759 a minimum of two (2) ~~State-~~ State of Florida licensed paramedics. When
760 ALS is being performed on a patient whose medical condition is so unstable

761 that there is a significant risk of the patient's condition deteriorating while in
762 route to an emergency facility, the patient compartment of the ALS rescue
763 vehicle must be staffed by at least one (1) paramedic or physician and either
764 an EMT, an additional physician, or an additional paramedic during
765 transportation to the emergency facility. ~~The patient compartment of an~~
766 ~~EMS transport vehicle providing a Class 5 – ALS specialty transport must~~
767 ~~be staffed with a minimum of one (1) State-licensed paramedic and one (1)~~
768 ~~State-licensed emergency medical technician.~~ The patient compartment of
769 the EMS transport vehicle may also include any of the following, to the
770 extent required by the patient's condition: physician(s), registered nurse(s),
771 perfusionist(s), registered respiratory therapist(s), and additional
772 paramedic(s).

773 . . .

- 774 (6) ALS communications:
- 775 a. EMS providers must provide continuous telephone access to the
776 public, including telephone communications between the location at
777 which they operate or receive calls and the local communications
778 center;
 - 779 b. EMS providers must provide and maintain the capability for two-way
780 radio communication between the location at which they operate or
781 receive calls and each of their transport vehicles;
 - 782 c. EMS providers must provide and maintain the capability for UHF
783 two-way radio communication between each of their ALS rescue

784 vehicles and Broward County hospitals in accordance with Florida
785 and County Emergency Medical Service Communication Plans, as
786 well as any additional communication devices as may be reasonably
787 required by the County Administrator or Section 401.015, Florida
788 Statutes, as amended; and

789 d. EMS providers must maintain the capability to communicate medical
790 information as needed with local and regional hospitals as required
791 by Section 401.015, Florida Statutes, as amended.

792 (e) *Standards and Requirements for EMS Providers Providing BLS Service.*

793 . . .

794 (3) EMS providers must maintain a sufficient number of ambulances to provide
795 prompt routine service and emergency backup service.

796 (4) Each ambulance that is used for BLS Service must be staffed with a
797 minimum of one (1) State of Florida certified EMT or paramedic and a driver.
798 The driver must (a) be a State of Florida certified EMT or paramedic; (b) be
799 enrolled in a State of Florida certified EMT program within ninety (90) days
800 after commencement of employment or in the first available offered course,
801 and must successfully complete the course to remain eligible to be counted
802 toward the staffing requirement; or (c) meet all of the following
803 requirements, as documented by the EMS provider:

804 a. Is at least eighteen (18) years old;

- 805 b. Certified under oath that the driver is not addicted to alcohol or any
806 controlled substance and is free from any physical or mental defect
807 or disease that might impair the driver's ability to drive an ambulance;
- 808 c. Has not, within the past three (3) years, pled guilty or nolo
809 contendere or been convicted of reckless driving or driving under the
810 influence of alcohol or controlled substances, and has not had a
811 driver license suspended under the point system provided for in
812 Chapter 322, Florida Statutes, as amended;
- 813 d. Possesses a valid Florida driver license issued under Chapter 322,
814 Florida Statutes, as amended, and a valid Broward County
815 chauffeur's registration;
- 816 e. Is trained in the safe operation of ambulances, and has completed
817 an emergency vehicle operator's course or the reasonable
818 equivalent, as determined by the State of Florida or the Division;
- 819 f. Possesses a valid American Red Cross or National Safety Council
820 standard first aid course card or an equivalent card, as determined
821 by the Division; and
- 822 g. Possesses a valid American Red Cross or American Heart
823 Association cardiopulmonary resuscitation card or an equivalent
824 card, as determined by the Division.
- 825 (5) BLS communications:
- 826 a. EMS providers shall provide continuous telephone access by and to
827 the public, including telephone communications between the location

828 at which they operate or receive calls and the local communications
829 centers;

830 b. EMS providers must provide and maintain the capability for two-way
831 radio communications between the location at which they operate or
832 receive calls and each of their ambulances; and

833 c. EMS providers must maintain the capability to communicate medical
834 information, as needed, between each of their ambulances and all
835 local and regional hospitals in accordance with Section 401.015,
836 Florida Statutes, as amended, the State of Florida and County
837 Emergency Medical Services Communications Plans, and any
838 additional communication devices as may be reasonably required by
839 the County Administrator.

840 (f) The County Administrator is authorized to prepare rules and regulations, as
841 approved by the ~~Board~~ Commission, to carry out the purposes of this chapter relative to
842 the following subject matters:

843 (1) Central place of business for each EMS provider;

844 (2) Communication equipment;

845 (3) Personnel qualifications, vehicle, and financial record keeping;

846 (4) Levels of service;

847 (5) Personnel staffing and riding in transport vehicles;

848 (6) Response time;

849 (7) Procedures for response to calls;

850 (8) Emergency zone service and regulations;

851 (9) Specifications for emergency zones; and
852 (10) Such other matters that are in the interest of the public health, safety,
853 welfare, convenience, and necessity of the citizens of Broward County.

854 (g) *Reporting.* All EMS providers must report the following information
855 electronically to the Broward County Office of the Medical Examiner and Trauma Services
856 on a semiannual basis for each applicable certificate:

- 857 (1) The total number of calls;
- 858 (2) The total number of patients transported;
- 859 (3) The total number of routine transfers;
- 860 (4) Unit hours in service and unit hours committed to calls;
- 861 (5) For each routine transfer, the origination point, endpoint, and the length of
862 time of the trip. For example, from hospital to hospital, hospital to home,
863 assisted living facility to hospital, etc.;
- 864 (6) The number of staffed and available ambulances by shift;
- 865 (7) Mutual aid or emergency backup service responses;
- 866 (8) Peak demand utilization (time of day analysis);
- 867 ~~(5)~~ (9) Response times; and
- 868 ~~(6)~~ (10) Other information as the County Administrator or designee may deem
869 necessary, as approved by the ~~Board~~ Commission.

870 **Sec. ~~3¹/₂-13~~ 3¹/₂-15. Issuance of temporary certificates.**

871 (a) In the event that any certificate holder, for any reason or cause, ceases or
872 refuses to provide EMS service ~~within any area or emergency call zone~~ within Broward
873 County, the ~~Board~~ Commission may immediately issue or direct the County Administrator

874 to issue one (1) or more temporary certificates for a period of time not to exceed ninety
875 (90) days, upon such emergency conditions as the ~~Board~~ Commission may require. This
876 time period may be extended for an additional ninety (90) days for any applicant who
877 agrees to make prompt application to become licensed to provide State of Florida ALS or
878 BLS Service, subject to ~~Board~~ Commission determination that there is no other EMS
879 provider holding the required certificate ~~for that area or emergency call zone~~, and that the
880 public interest, health, safety, welfare, or convenience will be served by such extension.
881 As a condition for the issuance of a temporary certificate, the applicant must promptly
882 initiate and take the necessary steps to obtain a certificate in accordance with the
883 provisions of this chapter.

884 (b) In the event there is no reasonably satisfactory applicant for a temporary
885 certificate, the ~~Board~~ Commission may direct the County Administrator to cause the
886 County to perform the necessary ambulance service in compliance with Florida law.

887 **Sec. ~~3½-14~~ 3½-16. Extensions to certificates.**

888 The County Administrator is authorized to grant extensions to certificates for a
889 definite period not to exceed one hundred twenty (120) days.

890 **Sec. ~~3½-15~~ 3½-17. Complaints, violations, penalties, hearings.**

891 (a) *Complaints.* The Division will investigate, in its sole discretion, any and all
892 complaints received concerning the services of EMS providers operating in Broward
893 County.

894 (b) *Violations.* The following are violations of this chapter:

895 (1) Failing to comply with any provision of this chapter or any rules and
896 regulations promulgated pursuant to this chapter;

- 897 (2) Operating, providing, representing to the public, or participating in the
898 business of providing ALS Service or BLS Service without first obtaining the
899 applicable certificate from the County;
- 900 (3) Operating an air ambulance, ALS rescue vehicle, or EMS transport vehicle
901 to provide ALS Service or BLS Service if the vehicle does not meet the
902 requirements of this chapter and any rules and regulations promulgated
903 pursuant to this chapter;
- 904 (4) Obtaining a certificate by omitting or falsely stating any material fact on the
905 application for the certificate;
- 906 (5) Obstructing, barring, or otherwise interfering with an inspection,
907 assessment, or review conducted under this chapter or any rules and
908 regulations promulgated pursuant to this chapter;
- 909 (6) For an EMS provider or its agent to demand money or other compensation
910 in excess of that established in the schedule of fees filed with the ~~Board~~
911 Commission pursuant to this chapter;
- 912 (7) For an EMS provider that provides BLS Service to violate the terms and
913 conditions of the contract between the County and the EMS provider;
- 914 (8) For an EMS provider to fail or neglect to provide service authorized by the
915 certificate; and
- 916 (9) For an EMS provider to not serve the public convenience and necessity.

- 917 (c) *Penalties.*
- 918 (1) Violations of this chapter or any rules and regulations promulgated pursuant
919 to this chapter may result in suspension, revocation, or modification of a
920 certificate.
- 921 (2) In addition to other remedies provided in this chapter, violations of this
922 chapter or any rules and regulations promulgated by this chapter may be
923 enforced as provided by Chapter 8½ of the ~~Broward County~~ Code of
924 ~~Ordinances~~.
- 925 (3) Notwithstanding the provisions of this section, the County may seek to
926 enforce this chapter by any legal action necessary, including, but not limited
927 to, seeking injunctive relief or other appropriate relief in court.
- 928 (d) *Hearings.*
- 929 (1) Hearings will be conducted in accordance with Chapter 8½ of the ~~Broward~~
930 ~~County~~ Code of ~~Ordinances~~.
- 931 (2) At the conclusion of the hearing, the hearing officer must issue an order
932 stating whether the greater weight of the evidence supports a finding that a
933 violation has occurred and whether revocation, suspension, modification, or
934 a fine is warranted. If a violation is not supported by the greater weight of
935 the evidence, the hearing officer must issue an order stating that no violation
936 has been proven.
- 937 (3) A hearing officer's final determination is appealable to the Circuit Court of
938 the Seventeenth Judicial Circuit in and for Broward County within thirty (30)

939 days after the date of rendition of the hearing officer's decision, as provided
940 by the Florida Rules of Appellate Procedure.

941 Section 6. Chapter 3½ of the Broward County Code of Ordinances, inclusive of
942 all sections within that chapter, including amended and newly added sections pursuant to
943 this Ordinance, is hereby renumbered in its entirety to Chapter 33. References to
944 Chapter 3½ within this Ordinance are for consistency only. All references to Chapter 3½,
945 or to the sections within that chapter, including references within this Ordinance, are
946 hereby amended to reflect Chapter 33.

947 Section 7. Severability.

948 If any portion of this Ordinance is determined by any court to be invalid, the invalid
949 portion will be stricken, and such striking will not affect the validity of the remainder of this
950 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
951 legally applied to any individual, group, entity, property, or circumstance, such
952 determination will not affect the applicability of this Ordinance to any other individual,
953 group, entity, property, or circumstance.

954 Section 8. Inclusion in the Broward County Code of Ordinances.

955 It is the intention of the Board of County Commissioners that the provisions of this
956 Ordinance become part of the Broward County Code of Ordinances as of the effective
957 date. The sections of this Ordinance may be renumbered or relettered and the word
958 "ordinance" may be changed to "section," "article," or such other appropriate word or
959 phrase to the extent necessary to accomplish such intention.

960 Section 9. Effective Date.

961 This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Alexandra Lozada 04/16/2026
Alexandra Lozada (date)
Assistant County Attorney

By: /s/ Adam Katzman 04/16/2026
Adam Katzman (date)
Deputy County Attorney

AMK/jl
Chapter 3½ Rewrite Ordinance
04/16/2026
1200287_12

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.