

**RESOLUTION R-18-066**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING RENEWAL OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AMBITRANS MEDICAL TRANSPORT, INC.; MAKING RELATED FINDINGS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes § 125.01 and Florida Statutes Chapter 401, Part III, authorize Manatee County (the County) to furnish ambulance services to the citizens of the County either directly and/or through the use of private firms; and

**WHEREAS**, Florida Statutes § 401.25(1) requires that every private firm or governmental entity providing prehospital or inter-facility advanced life support services or basic life support transportation services must be licensed by the State of Florida as a basic life support (BLS) service or an advanced life support (ALS) service before offering service to the public; and

**WHEREAS**, as a prerequisite to obtaining a state license, Florida Statutes § 401.25(2)(d) provides that an applicant for state licensure must first obtain a Certificate of Public Convenience and Necessity (COPCN) from the governing bodies of each county in which the applicant will provide ALS and/or BLS services; and

**WHEREAS**, Florida Statutes § 401.25(6) provides that the governing body of a county may adopt ordinances that provide reasonable standards for COPCNs for BLS and ALS services and air ambulance services; and

**WHEREAS**, pursuant to this authority, the County adopted Ordinance 17-041, which was subsequently codified as Article IV of Chapter 2-13 of the Manatee County Code; and

**WHEREAS**, Manatee County Code § 2-13-55(a) requires every firm or governmental entity seeking to provide these services in the County to submit an application for a COPCN; and

**WHEREAS**, complete applications are reviewed for approval by the Manatee County Board of County Commissioners (Board) at a duly noticed public hearing; and

**WHEREAS**, at the hearing, Manatee County Code § 2-13-55(c) provides that in deciding whether to issue a COPCN, the Board's consideration shall include the complete application, the Director of Public Safety's report and recommendation, and any other matters presented to it at the public hearing at which the application is considered; and

**WHEREAS**, upon a determination than an application satisfied the criteria provided for in Manatee County Code § 2-13-55(c), the Board is authorized to issue a COPCN; and

**WHEREAS**, the County has received a complete COPCN renewal application from Ambitrans Medical Transport, Inc., a private ambulance company that conducts business in Manatee County; and

**WHEREAS**, the Public Safety Department has reviewed and independently verified the information provided for in the COPCN renewal application submitted by Ambitrans Medical Transport, Inc.; and

**WHEREAS**, the Director of Public Safety recommends that the Board approve the COPCN renewal application submitted by Ambitrans Medical Transport, Inc.; and

**WHEREAS**, the Board finds that Ambitrans Medical Transport, Inc., has the technical, legal and financial ability to perform ALS and BLS services within the County and is qualified under the County's standards to receive a COPCN.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Manatee County, Florida, that:

**Section 1.** Ambitrans Medical Transport, Inc., is hereby issued a non-exclusive COPCN for the provision of ALS and BLS Interfacility Transport Services within Manatee County. The issuance of the COPCN is based upon the following terms and conditions:

- A. The provision of ALS or BLS services as defined by Florida Statutes Chapter 401, Part III, and Florida Administrative Code 64-J, for inter-facility transports between licensed medical facilities includes transport requests from residences to licensed medical facilities for routine medical appointments, stand-by for special events and, when requested by the County and consistent with the above recitals, calls transferred from County 9-1-1 to Ambitrans Medical Transport, Inc., and any other type of pre-hospital medical assistance.
- B. At no time shall a Ambitrans Medical Transport, Inc., ambulance await the arrival of County Emergency Medical Services (EMS) if the condition of the patient warrants immediate care and ground or air transportation. This includes trauma, ST-Elevation Myocardial Infarction, sepsis and stroke alerts.
- C. This COPCN is non-exclusive, and the County reserves its right to grant similar certificates during the term of this COPCN as authorized by law.

**Section 2.** The COPCN authorized herein shall remain valid for the period of time provided below based upon continued compliance by Ambitrans Medical Transport, Inc., with the following provisions:

- A. In the event it is determined by County officials that additional ambulances are required from Ambitrans Medical Transport, Inc., to augment County EMS, such request will be made by an official from the County's Emergency Medical Service, Emergency Communication Center, or Emergency Management Division.
- B. In the provision of ALS and BLS services authorized herein, Ambitrans Medical Transport, Inc., shall maintain compliance with all applicable local, state and federal laws and regulations including, but limited to, all statutes and ordinances related to ambulance transportation or the COPCN process.
- C. Calls for services which Ambitrans Medical Transport, Inc., is not authorized to provide under this resolution shall be immediately directed to the County's Emergency Communication Center.

**Section 3.** The COPCN issued pursuant to this Resolution shall take effect upon expiration of the COPCN authorized by Manatee County Resolution R-16-72 and shall have a term not to exceed two years unless the state license issued to Ambitrans Medical Transport, Inc. expires before that term or unless sooner revoked, suspended, extended or renewed as provided by state law or County Code.

**Section 4.** Pursuant to and subject to the pre-conditions of Manatee County Code § 2-13- 55(d)(1), the Director of Public Safety is authorized to execute COPCNs conforming to the terms of this Resolution.

**Section 5.** Assignment, sale or transfer of the COPCN authorized herein shall be governed by the terms of Manatee County Code § 2-13-59. Nothing contained herein is intended to convey any license or right to perform non-emergency medical transportation services or inter-hospital transportation services in derogation of any licensure requirement established by the State of Florida.

**Section 6.** If any section, subsection, sentence, clause or other provision of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, subsections, sentences, clauses, or provisions of this Resolution.

**BE IT FURTHERED RESOLVED** that this Resolution shall take effect immediately upon its adoption.

**DULY ADOPTED** by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, this \_\_\_\_ day of \_\_\_\_\_, 2018.

**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk