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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/05/2017	.	
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The Committee on Health Policy (Grimsley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 16 - 87

and insert:

Section 1. Present subsections (2) through (21) of section 401.23, Florida Statutes, are redesignated as subsections (3) through (22), respectively, a new subsection (2) is added to that section, present subsection (19) of that section is amended, and subsection (1) of that section is republished, to read:



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11 401.23 Definitions.—As used in this part, the term:
12 (1) “Advanced life support” means assessment or treatment
13 by a person qualified under this part through the use of
14 techniques such as endotracheal intubation, the administration
15 of drugs or intravenous fluids, telemetry, cardiac monitoring,
16 cardiac defibrillation, and other techniques described in the
17 EMT-Paramedic National Standard Curriculum or the National EMS
18 Education Standards, pursuant to rules of the department.
19 (2) “Advanced life support nontransport services” means the
20 provision of services defined in subsection (1) in an emergency
21 by a licensee until the arrival of an air ambulance or ambulance
22 provided by another entity that is used for, or intended to be
23 used for, land, air, or water transportation of sick or injured
24 persons requiring or likely to require medical attention during
25 transport. For the purpose of this definition, “emergency” means
26 a situation in which a person has a medical condition that
27 manifests itself by acute symptoms of such severity, including
28 severe pain, that the absence of immediate medical attention
29 could reasonably be expected to jeopardize the person’s health
30 or result in serious impairment to bodily functions or serious
31 dysfunction of any bodily organ or part. The term “emergency”
32 includes a response to a 911 call.
33 (20) (19) “Physician” means a practitioner who is licensed
34 under the provisions of chapter 458 or chapter 459. For the
35 purpose of providing medical direction “medical direction” as
36 defined in subsection (14) for the treatment of patients
37 immediately prior to or during transportation to a United States
38 Department of Veterans Affairs medical facility, the term
39 “physician” also means a practitioner employed by the United



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40 States Department of Veterans Affairs.

41 Section 2. Paragraph (d) of subsection (2) is amended and
42 new subsection (8) is added to section 401.25, Florida Statutes,
43 to read:

44 401.25 Licensure as a basic life support or an advanced
45 life support service.—

46 (2) The department shall issue a license for operation to
47 any applicant who complies with the following requirements:

48 (d) The applicant has obtained a certificate of public
49 convenience and necessity from each county in which the
50 applicant will operate. However, notwithstanding, any general
51 law, special act, or ordinance of a local government to the
52 contrary, except as provided in subparagraph 4., a governmental
53 entity that maintains fire rescue infrastructure and provides
54 first responders as defined in s. 112.1815 is not required to
55 obtain a certificate of public convenience and necessity or any
56 other authorization from a county to provide advanced life
57 support nontransport services if the governmental entity meets
58 the requirements of this chapter and applicable department rules
59 and uses a countywide common medical protocol, if such a
60 protocol is instituted.

61 1. In issuing the certificate of public convenience and
62 necessity, the governing body of each county shall consider the
63 recommendations of municipalities within its jurisdiction.

64 2. If a countywide common medical protocol restricts or
65 limits the ability of the governmental entity to provide
66 advanced life support nontransport services without a
67 certificate of public convenience and necessity, the
68 governmental entity must meet only the requirements of this



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69 chapter and applicable department rules to obtain its license.

70 3. A governmental entity intending to provide advanced life
71 support nontransport services without a certificate of public
72 convenience and necessity must notify the county and
73 municipalities in its proposed service area of its submission of
74 an application to the state.

75 4. The exception to the certificate of public convenience
76 and necessity requirement in this paragraph does not apply to a
77 county in which there is a countywide emergency medical services
78 authority created by special act or a governmental entity that
79 contracts with a private entity to provide fire rescue services.

80 (8) If a license is issued without a certificate of public
81 convenience and necessity, as authorized by paragraph (2) (d),
82 the department shall issue such license so that the licensee is
83 limited to providing advanced life support nontransport
84 services. Vehicle permits issued to such a licensee pursuant to
85 section 401.26 must be for nontransport only.

86
87 ===== T I T L E A M E N D M E N T =====

88 And the title is amended as follows:

89 Delete lines 3 - 4

90 and insert:

91 amending s. 401.23, F.S.; defining the term "advanced
92 life support nontransport services";