

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/CS/HB 805 — Volunteer Ambulance Services

by Health and Human Services Committee; Local Administration and Veterans Affairs Subcommittee; Professions and Public Health Subcommittee; and Reps. Caruso, McClure, and others (CS/SB 1084 by Health Policy Committee and Senators Pizzo, Book, and Rodriguez)

The bill authorizes vehicles of certain not-for-profit faith-based volunteer ambulance services (“volunteer ambulance services,”) as authorized by the chief of police of an incorporated city or any sheriff of any county, to display red lights and operate emergency lights and sirens while responding to an emergency. The bill also authorizes privately owned vehicles belonging to medical staff physicians and technicians of volunteer ambulance services to use red lights on privately owned vehicles and to disregard specified traffic laws and ordinances while responding to an emergency. Under the bill any emergency medical technician, doctor, or paramedic who is using his or her personal vehicle with a red light to respond to an emergency call must have completed a 16-hour emergency vehicle operator course.

The bill provides a legislative finding that is in the public interest to foster the development of emergency medical services that address religious sensitivities and recognizes the value of augmenting existing county and municipal emergency medical services with those provided by volunteer service organizations.

Under current law, to be licensed as a basic or advanced life support service by the Department of Health, an applicant must obtain a certificate of public convenience and necessity (COPCN) from each county in which it will operate. The bill exempts certain not-for-profit faith-based volunteer first responder agencies who have been operating in this state for at least 10 years, and which provide advanced or basic life support services solely through at least 50 unpaid licensed emergency medical technician or paramedic volunteers, from COPCN requirements. To be exempt from the COPCN requirements, the volunteer ambulance service must also provide services free of charge, not receive government funding (excluding specialty license plate proceeds), provide a disclaimer on all written materials that the volunteer ambulance service is not associated with the state’s 911 system, and meet other requirements as outlined in the bill. The COPCN exemption created in the bill may be granted to no more than four counties.

The bill requires an applicant to take all reasonable efforts to enter into a memorandum of understanding with the emergency medical services licensee within whose jurisdiction the applicant will provide services in order to facilitate communications and coordinate emergency services for situations beyond the scope of the applicant's capacity and for situations of advanced life support that are deemed priority 1 or priority 2 emergencies.

The bill prohibits county and municipal governments from limiting, prohibiting, or preventing volunteer ambulance services from responding to emergencies or providing emergency medical services or transport; and from requiring volunteer ambulance services to obtain a license or certificate or pay a fee.

Under the bill, an emergency medical services provider or fire rescue services provider operated by a county, municipality, or special district is responsible for the care and transport of an unresponsive patient if a volunteer ambulance service arrives at the scene of an emergency simultaneously with such a provider and a person authorized to consent to the medical treatment of the unresponsive patient is not present.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 98-12