

By Senator Latvala

16-01180D-11

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1                   A bill to be entitled  
 2           An act relating to basic life support or advanced life  
 3           support service; amending s. 401.23, F.S.; defining  
 4           the term "advanced life support nontransport service"  
 5           and redefining the term "advanced life support  
 6           service" to exclude nontransport services; amending s.  
 7           401.25, F.S.; clarifying the licensure requirements  
 8           for entities that provide advanced life support  
 9           nontransport services; providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

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 13           Section 1. Present subsections (2) through (21) of section  
 14           401.23, Florida Statutes, are redesignated as subsections (3)  
 15           through (22), respectively, a new subsection (2) is added to  
 16           that section, and present subsection (2) of that section is  
 17           amended, to read:

18           401.23 Definitions.—As used in this part, the term:

19           (2) "Advanced life support nontransport service" means an  
 20           emergency medical nontransport service owned and operated by a  
 21           governmental entity which uses advanced life support techniques  
 22           but does not provide transport services.

23           (3) ~~(2)~~ "Advanced life support service" means any emergency  
 24           medical transport ~~or nontransport~~ service that ~~which~~ uses  
 25           advanced life support techniques.

26           Section 2. Section 401.25, Florida Statutes, is amended to  
 27           read:

28           401.25 Licensure as a basic life support or an advanced  
 29           life support service.—

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30 (1) Every person, firm, corporation, association, or  
31 governmental entity owning or acting as agent for the owner of  
32 any business or service which furnishes, operates, conducts,  
33 maintains, advertises, engages in, proposes to engage in, or  
34 professes to engage in the business or service of providing  
35 prehospital or interfacility advanced life support services or  
36 basic life support transportation services must be licensed as a  
37 basic life support service, ~~or~~ an advanced life support service,  
38 or an advanced life support nontransport service, whichever is  
39 applicable, before offering such service to the public. The  
40 application for such license must be submitted to the department  
41 on forms provided for this purpose. The application must include  
42 documentation that the applicant meets the appropriate  
43 requirements for a basic life support service or an advanced  
44 life support service, whichever is applicable, as specified by  
45 rule of the department.

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

48 (a) The applicant has paid the fees required by s. 401.34.

49 (b) The ambulances, equipment, vehicles, personnel,  
50 communications systems, staffing patterns, and services of the  
51 applicant meet the requirements of this part, including the  
52 appropriate rules for either a basic life support service or an  
53 advanced life support service, whichever is applicable.

54 (c) The applicant has furnished evidence of adequate  
55 insurance coverage for claims arising out of injury to or death  
56 of persons and damage to the property of others resulting from  
57 any cause for which the owner of such business or service would  
58 be liable. The applicant must provide insurance in such sums and

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59 under such terms as required by the department. In lieu of such  
60 insurance, the applicant may furnish a certificate of self-  
61 insurance evidencing that the applicant has established an  
62 adequate self-insurance plan to cover such risks and that the  
63 plan has been approved by the Office of Insurance Regulation of  
64 the Financial Services Commission.

65 (d) The applicant for basic or advanced life support  
66 services has obtained a certificate of public convenience and  
67 necessity from each county in which the applicant will operate.  
68 In issuing the certificate of public convenience and necessity,  
69 the governing body of each county shall consider the  
70 recommendations of municipalities within its jurisdiction.

71 (3) The department may suspend or revoke a license at any  
72 time if it determines that the licensee has failed to maintain  
73 compliance with the requirements prescribed for operating a  
74 basic or advanced life support service.

75 (4) Each license issued in accordance with this part will  
76 expire automatically 2 years after the date of issuance.

77 (5) The requirements for renewal of any license issued  
78 under this part are the same as the requirements for original  
79 licensure which ~~that~~ are in effect at the time of renewal.

80 (6) The governing body of each county may adopt ordinances  
81 that provide reasonable standards for certificates of public  
82 convenience and necessity for basic or advanced life support  
83 transportation services and air ambulance services. In  
84 developing standards for certificates of public convenience and  
85 necessity, the governing body of each county must consider state  
86 guidelines, recommendations of the local or regional trauma  
87 agency created under chapter 395, and the recommendations of

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88 municipalities within its jurisdiction.

89 (7) (a) Each permitted basic life support ambulance not  
90 specifically exempted from this part, when transporting a person  
91 who is sick, injured, wounded, incapacitated, or helpless, must  
92 be occupied by at least two persons: one patient attendant who  
93 is a certified emergency medical technician, certified  
94 paramedic, or licensed physician; and one ambulance driver who  
95 meets the requirements of s. 401.281. This paragraph does not  
96 apply to interfacility transfers governed by s. 401.252(1).

97 (b) Each permitted advanced life support ambulance not  
98 specifically exempted from this part, when transporting a person  
99 who is sick, injured, wounded, incapacitated, or helpless, must  
100 be occupied by at least two persons: one who is a certified  
101 paramedic or licensed physician; and one who is a certified  
102 emergency medical technician, certified paramedic, or licensed  
103 physician who also meets the requirements of s. 401.281 for  
104 drivers. The person with the highest medical certifications  
105 shall be in charge of patient care. This paragraph does not  
106 apply to interfacility transfers governed by s. 401.252(1).

107 Section 3. This act shall take effect July 1, 2011.