

RESOLUTION 10-039

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FLORIDA, AUTHORIZING THE RENEWAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO WEST COAST-SOUTHERN MEDICAL SERVICE, INC., FOR THE PROVISION OF ADVANCED LIFE SUPPORT SERVICE; SETTING FORTH CERTAIN LIMITATIONS; REQUIRING COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS; ESTABLISHING ADDITIONAL CONDITIONS; AND PROVIDING FOR THE DURATION OF THE CERTIFICATE.

WHEREAS, Manatee County has adopted Ordinance 91-73 providing for the issuance of Certificates of Public Convenience and Necessity for the emergency medical transportation services; and

WHEREAS, West Coast-Southern Medical Service, Inc., has submitted a request to renew a Certificate of Public Convenience and Necessity for the provision of an Advanced Life Support ambulance service in accordance with the provisions of Ordinance 91-73; and

WHEREAS, the authorization of West Coast-Southern Medical Service, Inc., to provide non-emergency interfacility medical transportation services would not appear to unduly adversely impact or affect the operations of the County Emergency Medical Services; and

WHEREAS, West Coast-Southern Medical Service, Inc., is authorized to provide first response, 9-1-1 service under agreements between manatee County EMS and West Coast-Southern Medical Service, Inc., as may be negotiated and amended from time to time; and

WHEREAS, it has been determined that during the time of mass casualty or while in the preparedness mode for approaching hurricanes or other natural or man-made disasters that West Coast-Southern Medical Service, Inc., is an extra resource that can be called upon by the County; and

WHEREAS, it has been shown that with West Coast Southern Medical Service, Inc., providing transport for all requested interfacility transports originating within Manatee County that County EMS resources can focus on true emergencies arising within the community; and

WHEREAS, nothing contained herein is intended to convey any license or right to perform non-emergency medical transportation services or interhospital transportation services in derogation of any licensure requirement established by the State of Florida; and

WHEREAS, it was determined that there is a Public Convenience and Necessity for the services provided by West Coast-Southern Medical Service, Inc., since 1981 in accordance with the terms of the Certificate of Public Convenience and Necessity authorized herein.

WHEREAS, the application submission requirements and procedures pursuant to the written request of West Coast-Southern Medical Service, Inc., as provided by Manatee County Ordinance 91-73, Section 12; have been previously granted and the full application process has been waived; and

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

1. The issuance of a Certificate of Public Convenience and Necessity for West Coast-Southern Medical Service, Inc., for the provision of Advanced and Basic Life Support services to the citizens of Manatee County is hereby authorized for the purpose set out below:

- A. The provision of Basic or Advanced Life Support services as defined by Chapter 401, Part III, Florida Statutes, and Florida Administrative Code 64-J, for interfacility transports between licensed medical facilities and includes transport requests from residences to licensed medical facilities for routine medical appointments and for stand-by for special events and, when requested by the County and provided for by agreement with the County and consistent with the above recitals, calls transferred from County 9-1-1 to West Coast-Southern Medical Service, Inc., and any other type of prehospital medical assistance.

At no time shall a West Coast-Southern Medical Service, Inc., ambulance await the arrival of County EMS, if the condition of the patient warrants immediate care and ground or air transportation. This includes trauma, STEMI and stroke alerts.

- B. It is not the intent of this resolution to grant to West Coast-Southern Medical Service, Inc., an exclusive franchise. Nothing herein shall limit the right of Manatee County to grant a Certificate of Public Convenience and Necessity to an additional provider.

2. The Certificate of Public Convenience and Necessity authorized herein shall remain valid for the period of time provided below based upon continued compliance by West Coast-Southern Medical Service, Inc., with the following provisions:

- A. In the event it is determined by county officials that additional ambulances are required from West Coast-Southern Medical Service, Inc., to augment County EMS, contact will be made by an official from the Emergency Medical Service, Emergency Communication Center or Emergency Management Division.

- B. In the provision of Basic and Advanced Life Support services authorized herein, West Coast-Southern Medical Services, Inc., shall maintain compliance with all applicable laws and regulations of the State of Florida as they currently exist and as they may be amended and the provisions of Manatee County Ordinance 91-73.
- C. Calls for services which West Coast-Southern Medical, Inc., is not authorized to provide under this resolution shall be immediately directed to the County's Emergency Communications Center.

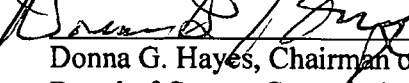
3. The Certificate of Public Convenience and Necessity issued pursuant to this Resolution shall take effect upon expiration of the Certificate of Public Convenience and Necessity authorized by Manatee County Resolution R-08-101, and shall expire on June 28, 2012, unless sooner revoked, suspended, extended, or renewed as provided by the Manatee County Ordinance 91-73 or any Ordinance supplementing, amending, or replacing Ordinance 91.73.

4. The Certificate of Public Convenience and Necessity authorized herein may not be transferred or assigned without the prior written consent of the County.

ADOPTED with a quorum present and voting this the 13th day of April, 2010.

MANATEE COUNTY, FLORIDA,
a political subdivision of the State
of Florida

By:  Board of County Commissioners

By: 
Donna G. Hayes, Chairman of the
Board of County Commissioners

ATTEST:

R.B. SHORE, Clerk of the Circuit Court

By: 

Deputy Clerk



**EMERGENCY MEDICAL SERVICES
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

WHEREAS, West Coast-Southern Medical Services, Inc., is authorized to provide Advanced or Basic Life Support to the citizens of Manatee County; and

WHEREAS, it has been demonstrated that there is a need to provide these essential services to the citizens of this county; and

WHEREAS, the above named service affirms that it will maintain compliance with the requirements of the Emergency Medical Action (Chapter 401, F.S.) and rules (F.A.C. 64-J).

THEREFORE, the Board of County Commissioners of Manatee County hereby issues a Certificate of Public Convenience and Necessity to said Company to provide ALS/BLS Transport services with conditions as prescribed on this Certificate. (BLS, ALS-Transport, or ALS Non-Transport)

In issuing this Certificate, the governing body of Manatee County has considered recommendations of affected municipalities.

Limitations: For on-scene ALS/BLS service upon request of County and in non-emergency circumstances where regular oxygen treatment is required and ALS interhospital transport services as more specifically defined by R-10-039.

Date Issued: June 28, 2010

Date of Expiration: June 28, 2012

ATTEST:

By: Susan Romine

Deputy Clerk



Don H. Hays

Chairman, Board of County Commissioners

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

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SUBJECT	West Coast-Southern Medical, Inc., Certificate of Public Convenience and Necessity	TYPE AGENDA ITEM	Consent
DATE REQUESTED	April 13, 2010	DATE SUBMITTED/REVISED	April 2, 2010
BRIEFINGS? Who?	None Required	CONSEQUENCES IF DEFERRED	Decrease in availability of County's Advanced Life Support units to respond to emergency calls.
DEPARTMENT/DIVISION	Public Safety/Emergency Medical Services	AUTHORIZED BY TITLE	Bill Hutchison Director <i>[Signature]</i>
CONTACT PERSON TELEPHONE/EXTENSION	Ronald J. Koper, Jr., Division Chief Ext. 3563	PRESENTER/TITLE TELEPHONE/EXTENSION	Bill Hutchison, Director Ext. 3511
ADMINISTRATIVE APPROVAL		<i>[Signature]</i>	

ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
<p>Motion to adopt Resolution R-10-039 authorizing renewal of Certificate of Public Convenience and Necessity for West Coast-Southern Medical, Inc., and to waive application submission requirements for the issuance of an expanded Certificate of Public Convenience and Necessity, superseding Resolution R-08-101.</p> <p>Execution of a new Certificate of Public Convenience and Necessity to reflect adoption of R-10-039.</p>

ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
Ordinance 91-73 - Issuance of Certificate of Public Convenience and Necessity; Section 401, Part III, Florida Statutes.

BACKGROUND/DISCUSSION
<p>West Coast-Southern Medical provides non-emergency medical transportation and basic and advanced life support services regulated by the Certificate of Public Convenience and Necessity (COPCN) and Resolution R-08-101, which expands the COPCN to West Coast to permit contract services at special events and transport at the request of a licensed medical facility when such service is not required as an emergency first response.</p> <p>West Coast Southern Medical submitted correspondence dated January 21, 2010, requesting a waiver of application submission requirements and procedures.</p> <p>Ordinance 91-73 allows a waiver of submission requirements and procedures of the County Certificate.</p> <p>Expiration of the Current Certificate is June 28, 2010.</p> <p>The COPCN granted to West Coast-Southern Medical is non-exclusive.</p>

COUNTY ATTORNEY REVIEW	
Check appropriate box	APPROVED IN OPEN SESSION
<input type="checkbox"/>	REVIEWED APR 13 2010 Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____) BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input checked="" type="checkbox"/>	OTHER Pending Review.

507/10

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS: <i>Sent 4/14/10</i>	
Correspondence from West Coast dated January 21, 2010 Resolution R-10-039 Certificate of Public Convenience and Necessity		Please return executed copy of Resolution R-10-039 and the original Certificate of Public Convenience and Necessity to the Public Safety Department, Division of EMS.	
COST:	None	SOURCE (ACCT # & NAME):	N/A
COMMENTS:	None	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A



West Coast - Southern Medical Service, Inc.
Emergency/Non-Emergency Ambulance Transport Services

934 14th Street West • Bradenton, FL 34205 • (941) 748-7148 • (800) 743-5169 • Fax: (941) 748-8520

January 21, 2010

Fax: 749-3568

Chief Ronald J. Koper, Jr.
Manatee County Department of Public Safety
P. O. Box 1000
Bradenton, FL 34206

Dear Chief Koper:

West Coast Southern Medical's Manatee County COPCN expires June, 2010; and since we do not have any changes, we are hereby requesting a waiver of the COPCN renewal application requirements.

If you are in agreement, we ask that since there are no changes to the COPCN, if the subject can be placed on a soon-future consent agenda for the County Commissioners. Although it may be granted early, it would not be issued until the appropriate time. We do however need it prior to May 1, 2010 as it needs to be submitted with our state license renewal which is also due June 2010.

The stand-by contract that you want to change the language of reflective of our earlier conversations can be handled separately, as I know it will have to pass through your legal department which may take some time.

Thank you for your time and attention to our requests.

Sincerely,

Carole A. McGowan
Chief



Office of
**MANATEE COUNTY
ATTORNEY**

Tedd N. Williams, Jr., County Attorney

James A. Minix, Chief Deputy County Attorney
Maureen S. Sikora, Deputy County Attorney*
Robert M. Eschenfelder, Deputy County Attorney
Rodney C. Wade, Deputy County Attorney*
William E. Clague, Deputy County Attorney
James R. Cooney, Deputy County Attorney
Sarah A. Schenk, Deputy County Attorney*

MEMORANDUM

DATE: April 1, 2010

TO: William Hutchison, Public Safety Director

THROUGH: Tedd N. Williams, Jr., County Attorney *TNW 4/1/10*

FROM: James R. Cooney, Deputy County Attorney *JRC*

RE: West Coast-Southern Medical Services, Inc., COPCN
RLS 10-058; CAO File No. 1120-152

QUESTION:

Review of proposed Resolution 10-039 for the issuance of a Certificate of Public Convenience and Necessity for West Coast-Southern Medical Service, Inc.

RESPONSE:

The format and content of the proposed resolution is approved with the exception of the signature block which has been retyped and attached herein to the revised resolution.

JRC/tkm

cc: Ronald J. Koper, EMS Chief