

RESOLUTION 02-146

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY FLORIDA, AUTHORIZING AND PROVIDING FOR THE ISSUANCE 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 license ambulance service in accordance with the provision of Ordinance 91-73; and

WHEREAS, the authorization of West Coast-Southern Medical Service, Inc. to provide non-emergency ambulance service 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. provides non-emergency medical transportation services which are not currently licensed or regulated by Manatee County; and

WHEREAS, 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; 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 has been previously granted.

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 purposes set out below:
 - A. The provision of Basic Life Support services or Advanced Life Support services as defined by Chapter 401, Part III, Florida Statutes upon request of County; upon request for special event coverage; or upon request of a licensed medical facility not to include emergency first response. In the event a West Coast-Southern Medical unit arrives at a facility and finds the patient to be critical, life saving measures shall be initiated, up to and including transportation to the closest emergency medical receiving facility.
 - B. It is not the intent of this paragraph 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 the Manatee County Emergency Medical Services Division, Emergency Communications Center (hereafter ECC), or by the County that a major catastrophe or emergency exists, the West Coast-Southern Medical Service, Inc. shall make available to the County all of its in-service units and personnel to assist in the aid and protection of the health, safety, and welfare of the persons involved therein.

Whenever units, equipment, or personnel of West Coast-Southern Medical Service, Inc. are under the custody and control of the County pursuant to this provision, the County shall assume all liabilities and obligations arising out of or in connection with such utilization of any in-service units, equipment, and West Coast-Southern Service, Inc. personnel; however, the County shall not be liable or responsible for obligations, liabilities, claims, damages, and causes of action arising out of the negligent or intentional acts of West Coast-



Southern Medical Service, Inc. or its employees, agents or servants. Provision of in-service units, equipment, and personnel by West Coast-Southern Medical Service, Inc. in the event of such a major catastrophe or disaster emergency, is a service being rendered by West Coast-Southern Medical Service, Inc. for and on behalf of the County and public for and in connection with the privileges and rights granted to the provisions hereof.

County shall be under no obligation to pay or reimburse West Coast-Southern Medical Service, Inc. for services rendered but shall reimburse West Coast-Southern Medical Service, Inc. for reasonable personnel expenses incurred in the fulfillment of the provision of this paragraph.

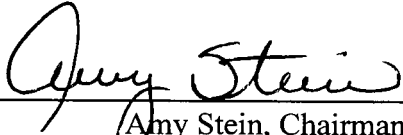
- B. In the event the County anticipates calling upon West Coast-Southern Medical Service, Inc. for services not constituting a disaster as described in 2.A. above, West Coast-Southern Medical Service, Inc. shall be responsible for billing and collecting all such compensation or fees as separate contractual arrangements between West Coast-Southern Medical Service, Inc. and the particular customer, patient, or other person. The County shall have no liability or responsibility in connection with the compensation or fee charged for services by West Coast-Southern Medical Service, Inc. to such customers, patients, or other persons.
- C. West Coast-Southern Medical Service, Inc. shall participate in disaster training exercises in which the County operated EMS facilities are utilized. Within twenty-four (24) hours of the determination of the date of such exercises, the County shall notify West Coast-Southern Medical Services, Inc. of the nature, location, date, and time of the exercises.
- D. In the provision of Basic Life Support services and Advanced Life Support services authorized herein, West Coast-Southern Medical Service, 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 and subsequent ordinance supplementing, amending, or replacing Ordinance 91-73 to the extent that such Ordinance regulates the services that will be performed by West Coast-Southern Medical Service, Inc. which have been authorized within.
- E. Calls for services which West Coast-Southern Medical, Inc. is not authorized to provide shall be immediately directed to ECC or such other agency named in written instructions to West Coast-Southern Medical Service, Inc. from Manatee County.



3. The Certificate of Public Convenience and Necessity issued pursuant to this Resolution shall take effect immediately and shall expire on **June 28, 2004** 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 18th day of June, 2002.

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

By: 
Amy Stein, Chairman

ATTEST: R.B. SHORE
Clerk of the Circuit Court

By: 