

ORDINANCE NO. 71

Adopted October 29, 1986

Regulating the permitting, inspection and operation of ambulance services, and ambulance personnel, providing for renewal and revocation of permits and providing penalties.

The County of Bucks hereby enacts as follows:

Section 1. Short Title

This Ordinance shall be known and may be cited as "The Bucks County Ambulance Regulation and Standards Ordinance".

Section 2. Purpose

(a) There is demonstrated need in the County to establish a minimum level of emergency medical care provided by ambulances.

(b) It is the concern of the Bucks County Commissioners that its citizens and visitors receive a basic level of emergency medical care to reduce needless death and disability.

(c) It is the intent of the commissioners with the adoption of the Ordinance to achieve a basic level of emergency medical care for the citizens of and visitors to this County.

Section 3. Definitions

The following words and phrases when used in this Ordinance shall have, unless the context clearly indicates otherwise, the meanings given to them in this section.

"Advisory Board". The Advisory Board on Ambulance Service as appointed by the Bucks County Commissioners upon recommendation of the Bucks County Emergency Health Council.

"Advanced Life Support Unit". Any service designed, equipped and staffed to render advanced life support and so recognized by the Health Department of Pennsylvania pursuant to policies and procedures for advanced life support units as approved by Bucks County Emergency Health Services and Bucks County Emergency Health Council based on standards developed in consultation with the Pennsylvania Emergency Health Services Council.

"Ambulance". Any motor vehicle that is specially designed, constructed or modified and equipped and any aircraft which is specially designed, constructed, or modified and equipped and is used or intended to be used, maintained or operated for the purpose of rendering emergency medical care to, and transportation of, patients. The term includes advanced or basic life support vehicles that may or may not transport patients.

"Ambulance Attendant". An individual who is certified by the American Red Cross as having completed the approved course of instruction in advanced first aid and emergency care, or its equivalent pursuant to 42 PA C.S. & 8332 (relating to nonmedical good samaritan civil immunity) and by the American Heart Association or the American Red Cross in cardiopulmonary resuscitation (CPR), or its equivalent pursuant to 42 PA C.S. & 8332.

"Ambulance Service". An entity which regularly engages in the business or service of providing emergency medical care and transportation of patients within the County. The team includes mobile advanced life support services that may or may not transport patients.

"Sub-Station". As a distinct Ambulance Service facility separated physically and geographically from the parent facility for the purpose of providing expedient coverage of an underserved geographic area.

"Bucks County Emergency Health Services". A department of the Bucks County government responsible for the development and maintenance of the emergency medical services system for the County of Bucks which reports directly to the Bucks County Commissioners. The Emergency Health Council is an advisory body to this department.

"The Bucks County Emergency Health Council". The Council is a private, non-profit corporation established for the purpose of systematically improving emergency health care in Bucks County. The Council does provide advice and guidance to the Bucks County Commissioners on emergency health matters.

"Bucks County Emergency Management Agency". A department of Bucks County government responsible for warning, response and recovery in event of disaster or potential disaster which reports directly to the Bucks County Commissioners.

"Emergency Medical Technician". An individual who is certified by the Department of Health of Pennsylvania pursuant to the act of November 30, 1976 (P.L. 1205, No. 264), referred to as the Emergency Medical Technician Law.

"Invalid Coach". Any land or air vehicle that is maintained, operated and intended to be used primarily or routinely to transport persons who are convalescent, or otherwise nonambulatory and do not require emergency medical treatment while in transit. Such vehicles shall not be considered ambulance or emergency medical service vehicles.

"Patient". Any individual who is sick, injured, wounded or otherwise incapacitated or helpless.

"Department". Refers to the Department of Health, Commonwealth of Pennsylvania; "Division" refers to Pennsylvania Department of Health, Division of Emergency Health.

"Rescue Vehicle". Any motor vehicle which is designed or modified and equipped for rescue operations and which is not routinely used for emergency medical care and transport of patients.

Section 4. General Provisions

The Bucks County Emergency Health Services shall:

(a) Establish and certify minimum standards pursuant to this Ordinance, with the advice of the Advisory Board, such standards not to exceed the limitations included in this Ordinance.

(b) Make inspections of ambulance services, their ambulances, equipment and personnel certificates to determine compliance with this Ordinance and any regulation promulgated pursuant thereto.

Section 5. Permit Required to Operate an Ambulance Service

(a) Ninety (90) days after the effective date of the Ordinance, no person either as an owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise or otherwise engage in or profess to be engaged in providing ambulance service upon the highways or any public or private place in the County unless that person holds a currently valid permit to operate an ambulance service issued by the Bucks County Emergency Health Services pursuant to this Ordinance.

(b) The Bucks County Emergency Health Services shall issue a permit to any person who makes application thereto within 90 days after the effective date of this Ordinance and who was providing ambulance service on the effective date of this Ordinance, when a determination has been made as provided herein that the service will be in compliance with the requirements of this Ordinance and any regulations adopted pursuant thereto. Ninety (90) days after the effective date of the ordinance, permits shall be granted to new services or substations of existing services upon significant proof that there is an existing public need for such additional emergency ambulance service, as determined by the Bucks County Emergency Health Services.

(c) Applications for ambulance service permits hereunder shall be made upon such forms prepared or prescribed by Bucks County Emergency Health Services and shall contain information deemed reasonably necessary to a fair determination of compliance with this Ordinance. All applications will then be reviewed by the Ambulance Advisory Board (see Section 8). After review, this Board will make recommendations for acceptance or rejection of application to the Bucks County Emergency Health Services.

(d) Holders of permits to operate an ambulance service shall not discontinue service until after the holder notifies the Bucks County Emergency Health Services which notice shall include a statement that the permit holder has notified the chief executive office of each political subdivision in their organization ambulance service, and that the intent to discontinue ambulance service has been advertised in newspapers of general circulation in the organization's service area.

(e) A permit to operate an ambulance service is not transferable and shall remain valid for a period of three years, unless removed or suspended by the Bucks County Emergency Health Services.

(f) The Bucks County Emergency Health Services shall issue a temporary permit for operation of an ambulance service when the Bucks County Emergency Health Services deems it is in the public interest to do so. Such temporary permits shall be valid for a period not to exceed ninety (90) days, and shall only be renewable once by the Bucks County Emergency Health Services with the recommendation of the Advisory Board.

Section 6. Personnel Required on Ambulance

(a) By January 1, 1987 each permitted ambulance service shall require that an ambulance, when operated in response to a call for assistance, except for routine transfer of convalescent or other non-emergency cases, shall be staffed by at least two persons, one of whom is an Emergency Medical Technician with current Cardiopulmonary Resuscitation certification. The Emergency Medical Technician must accompany the patient in the patient compartment.

(b) The Bucks County Emergency Health Services shall assure the availability of Emergency Medical Technician courses in sufficient number to provide training for adequate numbers of such personnel throughout the County such courses to be conducted at locations reasonably convenient to ambulance services.

(c) Any ambulance attendant shall, upon request of the Bucks County Emergency Health Services or its representative, produce valid evidence of satisfactory completion of an appropriate training program specified in this Ordinance.

(d) Upon the effective date of this Ordinance, all permitted ambulances in the County shall operate with a minimum staffing of two persons.

Section 7. Equipment Required on Ambulances

By January 1, 1987 all ambulances in the County answering emergency calls shall be certified under the Voluntary Ambulance Service Certification program as per the guidelines of the Division of Emergency Health, Department of Health, Commonwealth of Pennsylvania. All invalid coaches, (i.e., transfers, non-emergency, etc.) shall be equipped as required by Bucks County Emergency Health Services after receipt of recommendations by the Advisory Board.

Section 8. Ambulance Advisory Board of Ambulance Services

(a) For the purpose of assisting the Bucks County Emergency Health Services in administering this Ordinance, the Bucks County Commissioners shall appoint an Advisory Board, on the advice of the Bucks County Emergency Health Council, having the following duties:

- (1) Develop standards and policies as regards to the administration of this Ordinance, subject to approval of Bucks County Emergency Health Services.
- (2) Review all ambulance services applications and made recommendations to the Bucks County Emergency Health Services concerning acceptance or rejection.
- (3) Monitor compliance to this Ordinance by ambulance services and make recommendations to the Bucks County Emergency Health Services for disciplinary actions when appropriate.
- (4) Assist the Bucks County Emergency Health Services in any other way the Bucks County Emergency Health Services deems necessary concerning administration of this Ordinance.

(b) Such Advisory Board shall consist of nine members, all of whom shall be experienced in pre-hospital emergency medical care; two members shall be physicians, one shall be a nurse, one shall be representatives of volunteer fire department ambulance services, three shall be representatives of volunteer ambulance services not affiliated with fire companies, two shall be representative of commercial ambulance services.

(c) The President of the Bucks County Emergency Health Council shall ensure maximum geographic and demographic representation when appointing representatives.

(d) The Advisory Board shall choose its own chairman, and shall meet at the call of any member designated by the Advisory Board to act as chairman, provided, however, that the Advisory Board shall not meet less than annually.

(e) A majority of members of the Advisory board shall constitute a quorum for transacting business, and a majority vote of those present at any meeting shall be sufficient for any official action taken by the Advisory Board.

(f) Advisory Board members shall serve without compensation.

(g) Upon passage of this Ordinance, members of the Advisory Board shall be appointed to a three year term. Initially, three members each will be appointed for one, two and three year terms to provide for future staggering of membership.

Section 9. Revocation of Permits

(a) The Bucks County Emergency Health Services may and is hereby authorized to suspend or revoke a permit issued hereunder. Upon determining that a violation of this ordinance or rules and regulations promulgated thereunder exists, the Bucks County Emergency Health Services shall issue a notice of violation. Such notice shall specify the nature of the violation, order the violation abated and shall specify a reasonable time for compliance. If, after such reasonable time for compliance, the Bucks County Emergency Health Services shall afford the holder of the permit an opportunity for an administrative hearing to be conducted by the Bucks County Emergency Health Services. If, after the Bucks County Emergency Health Services hearing, the Bucks County Emergency Health Services rules that the permit shall be suspended or revoked, appeals may be taken as provided by law.

(b) Upon suspension, revocation or termination of a permit, the ambulance service shall cease operations and no person shall permit or cause such ambulance service to continue, except in cases where no reasonable alternative is available the Bucks County Health Service's Agency may place such service on probation and shall put forth full effort to assist such service to comply with the provisions of this Ordinance.

Section 10. Records and Reports

(a) The permittee of an ambulance service shall maintain a written record of all trips upon such form and in such manner as the Bucks County Emergency Health Services, with the advice of the Advisory Board, shall provide. Ambulance Survey Format and other information required shall be submitted to the Bucks County Emergency Health Services as requested.

Section 11. Inspections

(a) Each ambulance service, its ambulance, equipment and personnel certifications shall be inspected by the Bucks County Emergency Health Services or its representatives; such inspections to be conducted from time to time as deemed appropriate and necessary, but not less than once every two years.

(b) When an inspection report shows that an ambulance service is in compliance with the requirements of this Ordinance and rules and regulations promulgated pursuant hereto the Bucks County Emergency Health Services shall issue or renew a permit as provided for in this Ordinance and rules and regulations promulgated pursuant hereto. When an inspection report shows that an ambulance service is in non compliance with regulations promulgated hereto, the Bucks County Emergency Health Services shall notify the ambulance service of such noncompliance, and shall reinspect that ambulance service within 30 days of its receipt of such noncompliance. When a reinspection report shows that the ambulance service is in compliance with this Ordinance and rules and regulations promulgated pursuant hereto, the Bucks County Emergency Health Services shall issue or renew a permit as provided for in this Ordinance. When a reinspection report shows continued noncompliance, the Bucks County Emergency Health Services shall issue a notice of violation as provided for in Section 9.

Section 12. Exemption

The following vehicles are exempted from the provisions of this Ordinance.

- (a) Privately owned vehicles not ordinarily used in the business of transporting patients.
- (b) A vehicle rendering temporary service as an ambulance in case of an emergency when ambulances based in the locality of the emergency are insufficient to render services required.
- (c) Ambulances located or headquartered outside the County not routinely providing ambulance services to residences of Bucks County or not having mutual aid agreements with a Bucks County ambulance service.
- (d) Ambulances and ambulance services owned and operated by an agency of the United States Government.
- (e) Invalid coaches.
- (f) Rescue vehicles.
- (g) Under conditions of a major emergency or mass casualty, at the discretion of the Bucks County Director of the Emergency Management Agency; section of this Ordinance may be waived when not in conflict with Commonwealth law or regulations. Such waivers will be originated and terminated by public announcement by the County Director of the Emergency Management Agency except when authority is superceded by the Commonwealth of Pennsylvania in accordance with PL 1332, Act 323 of 1978.

Section 13. Restrictions on Advertising and Vehicle Identification

Ninety (90) days after the effective date of this Ordinance, any use of the terms "ambulance" or "advanced life support unit" in referring to any service, vehicle, or person shall be restricted to any vehicle or service as has been duly permitted by the Bucks County Emergency Health Services as provided in this Ordinance.

Section 14. Penalties

Any person convicted of operating any ambulance service which does not have a currently valid permit, has a permit which is under suspension or revocation, or violates any other provisions of this Ordinance except as otherwise specified, shall upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than one hundred dollars (\$100.) and costs of prosecution. Violations on separate days are considered separate and distinct offenses. All fines recovered under the provisions of this Ordinance shall be paid to the Treasurer of the County.

Section 15. Fees

There shall be a twenty five dollar (\$25.00) non refundable fee for Permit, per vehicle, payable to County of Bucks to be submitted to Emergency Health Service office.

Section 16. Effective Date

This Ordinance shall take effect January 1, 1987.

Section 17. Expiration

None of the aforementioned provisions shall in any fashion be interpreted as requiring less than the terms and provisions of "The Emergency Medical Services Act", P.L. 1985-4 (Act 45) July 3, 1985, and, furthermore, all duplicative provisions of "The Emergency Medical Services Act", P.L. 1985-4 (Act 45) July 3, 1985 shall supercede this Ordinance unless the rules and regulations promulgated under said Act are less stringent than provided for under this Ordinance.

BUCKS COUNTY COMMISSIONERS

Carl F. Fonash

Carl F. Fonash, Chairman

Lucille M. Trench

Lucille M. Trench

Andrew L. Warren

Andrew L. Warren

Attest:

William H. Peier

Chief Clerk