

CHAPTER 8: AMBULANCES

Section

- 31.0801 Definitions.
- 31.0802 Permits.
- 31.0803 Permit Fees.
- 31.0804 Application for a Permit or Renewal of a Permit.
- 31.0805 Investigation by Health Officer.
- 31.0806 Issuance or Denial of Permit.
- 31.0807 Content of Permit.
- 31.0808 Amendment of Permits.
- 31.0809 Renewal of Permits.
- 31.0810 Suspension and Revocation of Permits.
- 31.0811 Suspension, Conditional Operation, and Temporary Variance.
- 31.0812 Appeal Procedure.
- 31.0813 Service Requirements.
- 31.0814 Conformance with Operating Areas.
- 31.0815 Communications Requirements.
- 31.0816 Standards for Operation of an Ambulance Service.
- 31.0817 Standards for Dispatch.
- 31.0818 Ambulance Safety and Emergency Equipment Requirements.
- 31.0819 Ambulance Personnel.
- 31.0820 Ambulance Rates.
- 31.0821 Continuation of Call.
- 31.0822 Temporary Permit.
- 31.0823 Emergency and Disaster Operations.
- 31.0824 Mutual Aid Requirements.
- 31.0825 User Complaint Procedures.
- 31.0826 Enforcement Responsibilities.
- 31.0827 Specialized Transportation Services.

§ 31.0801 Definitions.

Unless otherwise stated, words and terms are defined as follows:

ADVANCED LIFE SUPPORT (ALS) OR LIMITED ADVANCED LIFE SUPPORT (LALS) AMBULANCE. An ambulance which has the basic equipment set forth in Administrative Code Title 13 as well as additional equipment and supplies as specified by

the local EMS Agency.

AMBULANCE. Any privately or publicly owned vehicle or boat specially designed, constructed, modified, equipped, arranged, maintained, and operated as well as specifically licensed by the California Highway Patrol for the sole purpose of transporting sick, injured, wounded, invalid, expectant mother, convalescent, or otherwise incapacitated persons.

AMBULANCE ATTENDANT. A qualified person acting as an attendant on an ambulance that is transporting a patient and who occupies the patient compartment.

AMBULANCE SERVICE. Any private or public corporation, partnership, association, individual, or agency that operates one or more ambulances.

BASIC LIFE SUPPORT (BLS) AMBULANCE. An ambulance that has equipment and supplies as specified by Administrative Code Title 13.

BOARD. The Board of Supervisors of San Bernardino County.

CODE 3. A term used to describe use of red warning lamps and siren as permitted by Vehicle Code § 21055 if a vehicle is being used in such a situation where speed is essential to save a life, prevent undue suffering or to reduce or prevent disability.

COMPETITIVE EXCLUSIVE OPERATING AREAS. Refers to those areas (if any) under the County's Emergency Medical Services Plan where an ambulance provider has, by approved application to the County, been granted a renewable five-year term of exclusive operating area in a particular designated geographical locale.

DEPARTMENT. The Public Health Department of San Bernardino County.

DRIVER. A qualified person who operates an ambulance, as specified by § 31.0818(a) of this Chapter.

EMERGENCY CALL. A request for the dispatch of an ambulance to transport or provide other assistance for a person who apparently has a sudden or unforeseen need of medical attention.

EMERGENCY MEDICAL SERVICES. The services needed to provide urgent medical care in a condition or situation in which an individual has a need for immediate medical attention or where the potential for such need is perceived by emergency medical personnel, a public safety agency, or with respect to interfacility transfers qualified medical personnel of the transferring facility. Any transportation needs pursuant to a request for an emergency ambulance operating under a permit issued by the Commissioner of the California Highway Patrol or the attendance of certified emergency medical personnel or licensed medical personnel shall be deemed the providing of emergency medical services.

EMERGENCY MEDICAL TECHNICIAN-I AMBULANCE (EMT-IA). A person trained and certified to provide basic life support according to standards prescribed by the Health and Safety Code Division 2.5 and the local EMS Agency.

EMERGENCY MEDICAL TECHNICIAN-II (EMT-II). A person trained and certified to provide limited advanced life support according to standards provided by Health and Safety Code Division 2.5 and the local EMS Agency.

EMERGENCY MEDICAL TECHNICIAN-PARAMEDIC (EMT-P) PARAMEDIC OR MOBILE INTENSIVE CARE PARAMEDIC. A person specially trained and certified to provide advanced life support according to standards prescribed by Health and Safety Code Division 2.5.

EXCLUSIVE OPERATING AREAS. Specific geographic areas of the County designated in the Emergency Medical Services Plan for the County and authorized by Health and Safety Code §§ 1797.6, 1797.85 and 1797.224.

LEVEL OF SERVICE. The type of emergency medical services that may be provided by a permittee, and will be specified as basic life support, limited advanced life support and advanced life support provided by personnel certified as specified in Health and Safety Code Division 2.5 and Administrative Code Title 22, Division 9.

MOBILE INTENSIVE CARE NURSE (MICN). A nurse who has been certified by the Medical Director of the local EMS Agency as qualified in the issuance of emergency instructions to EMT-IIs and EMT-Ps.

NONEXCLUSIVE OPERATING AREAS. Those areas of the County defined geographically but not designated in the EMS Plan for the County as exclusive operating areas.

PATIENT. A sick, injured, wounded, invalid, expectant mother, convalescent, or otherwise incapacitated person.

PERMITTEE. Any ambulance service possessing a current permit granted by the Board to provide ambulance service within the County.

PERSON. Any individual, firm, corporation, partnership, association, agency, or group or combination acting as a unit.

SPECIAL EVENTS. Any situation where a previously announced event places a grouping or gathering of people in one general locale sufficient in number, or subject to activity that creates the need to have one or more ambulances at the site.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0802 Permits.

(a) *Required.* It shall be unlawful for any person, either as owner, agency or otherwise, to operate, conduct, advertise or engage in or profess to be engaged in the business or service of the transportation of patients upon the streets or any public way or place in the unincorporated territory of the County, except in conformance with a valid permit to do so issued by the Department.

(b) *Exceptions.* The equipment and personnel standards specified in this Chapter apply to all ambulance services; however, the licensing and permit requirements shall not apply to:

(1) Vehicles operated as ambulances at the request of local authorities during any "state of war emergency," duly proclaimed "state of emergency" or "local emergency," as defined in the California Emergency Services Act (Government Code Chapter 7 of Division I of Title 2), as amended; or

(2) Ambulances based in adjoining counties or states operating in the under serviced border areas of the County where the County Health Office has conducted an investigation to describe the service area, assure conformity with County policy and established a letter or agreement between the Department and appropriate regulatory agencies within the adjacent county or state. Such agreement shall contain a description of the service area.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0803 Permit Fees.

Permit fees shall be those specified in the County Code § 16.0213A(a)(5). All permits shall be issued to expire on June 30 of each year, and the annual fee therefor may be prorated on a quarterly basis for the first year. Permit fees may be waived by the Board of Supervisors if public need and necessity require it.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0804 Application for a Permit or Renewal of a Permit.

(a) *Procedure and Information Required.* Prerequisite to the issuance of a permit or renewal of a permit for an applicant shall include filing with the Department an application in writing on a form to be furnished by the Department, which shall provide the following minimum information:

(1) Name and description of applicant;

(2) Business address and residence address of record of the applicant;

(3) Trade or firm name, or DBA as recorded;

(4) If a corporation, a joint venture or a partnership or limited partnership, the names of all partners, or the names of corporate officers, their permanent addresses and their percentage of participation in the business;

(5) A statement of facts for new applicants showing the past experience of the applicant in the operation of an ambulance service and at what level and that the applicant is qualified to render efficient 24-hour ambulance service;

(6) A photocopy of the license(s) issued by the Commissioner of the California Highway Patrol to privately owned ambulances (in accordance with Vehicle Code § 2501 and Administrative Code Title 13) shall be provided to the Department prior to the start of ambulance operations;

(7) The geographical operating area as specified in the OEMs Plan for the County for which the permit is requested;

(8) The level or levels of service which the applicant proposes to provide;

(9) A statement in initial and renewal applications that the applicant owns or will have under his or her control required equipment to adequately conduct an ambulance service in the operating area for which he or she is or proposes to be permitted, which meet the requirements established by the California Vehicle Code, and that the applicant owns or has access to suitable and safe facilities for maintaining his or her ambulance service in a clean, sanitary and mechanically sound condition;

(10) A list for initial and renewal applications amended as required during the year for any changed, substituted, loaned, or leased vehicles, giving a complete description of each ambulance vehicle operated by the applicant, including the patient capacity thereof, and a copy of the most recent Ambulance Inspection Report issued by the California Highway Patrol for each vehicle;

(11) An affirmation for initial and renewal applications that each permitted ambulance and its appurtenances conform to all applicable provisions of this Chapter, the California Vehicle Code, the California Administrative Code, and any other applicable State or local directives;

(12) A statement for renewal applications that the applicant employs sufficient personnel adequately trained and available to deliver ambulance services of good quality at all times in the applicant's permitted operating area. When an initial application is submitted, a statement that the applicant will employ sufficient personnel adequately trained and available to deliver ambulance services of good quality at all times in the applicant's permitted operating area;

(13) A list amended as required during the year for any personnel changes, giving a description of the level of training for each ambulance employee, and a copy of each certificate or license issued by the State, County, or local EMS Agency establishing qualifications of such personnel in ambulance operations. An initial applicant shall submit a list of personnel and their qualification prior to attaining operational status;

(14) A proposed schedule of any special rates to be charged by the permittee for ambulance services;

(15) A statement in the initial application that shows to the satisfaction of the Department that the issuance of a permit is in the public interest and there is a need for a permit to be issued, in that there is a requirement for ambulance service which can be legally serviced by the applicant;

(16) A statement signed by the applicant that as a condition of the County's issuing a permit, applicant agrees to appear and defend all actions against the County arising out of the exercise of said permit, and shall indemnify, defend, and save the County, its officers, employees and agents harmless of and from all claims, demands, actions, or causes of actions of every kind and description resulting directly or indirectly and arising out of, or in any way connected with exercise of this permit unless this is a conflict of interest;

(17) Such other facts or information as the Department may require.

(18) Permits for "special events" shall meet all the requirements of this Section.

(A) The ambulance service or services shall be provided by either the ambulance service possessing a regular permit for the area or a special events operator as selected by the special event promoter.

(B) Rates for "special events" ambulance services shall be determined by common agreement between the event's promoter and the permittee.

(C) All special events shall be reported to the Department at least seven days in advance of the event.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0805 Investigation by Health Officer.

(a) In nonexclusive operating areas and upon receipt of a new application, the Health Officer shall conduct an investigation to determine if the public health, safety, welfare, convenience, and necessity require the granting of an original or additional permit for the operating area for which the application has been made and shall further determine if the applicant meets all requirements of this Chapter. Upon completion of his or her investigation and within 45 days, the Health Officer shall issue a report, present a copy to the applicant, and request that a meeting of the Emergency Medical Care Committee (EMCC) be called within 14 days to consider that report and other testimony. After due deliberation the EMCC shall make its recommendation to the Health Officer. Within 14 days the

Health Officer shall advise the Board that a permit be granted or denied for the operating area. No permit shall be issued by the Health Officer until the Board of Supervisors has determined that the public health, safety, welfare, convenience, and necessity require the granting of such permit for the particular operating area.

(b) In competitive exclusive operating areas, the Board will only consider the application when the process designated in the Emergency Medical Services (EMS) Plan for San Bernardino County has been completed.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0806 Issuance or Denial of Permit.

(a) The Board of Supervisors may order the issuance of a permit to conduct an ambulance service in a nonexclusive operating area upon finding that the applicant has demonstrated that the public health, safety, welfare, convenience, and necessity require the availability of such ambulance service and that the applicant meets all requirements of this Chapter. The Board may also order the issuance of a permit for an exclusive operating area to a provider selected by the process as described in the EMS Plan for the County of San Bernardino.

(b) Whenever a new application is filed under the provisions of this Chapter for a permit to provide ambulance service in a part of the County that is not an exclusive operating area and where services already exist, the Board, after due investigation, may find and determine, as a matter of fact, that the applicant has failed to demonstrate there exists in the area sufficient potential need for ambulance service to justify the granting of an additional, separate and distinct permit for use within that operating area. Predicated on such findings, the Board of Supervisors may deny the application for permit on the grounds that the granting of such new permit is not economically or financially feasible and not in the public interest and welfare.

(c) The Board of Supervisors may order the denial or revocation of a permit if the applicant or any partner, officer, or director thereof:

(1) Was previously the holder of a permit issued under the ordinance which permit has been revoked or not reissued and the terms or conditions of the suspension have not been fulfilled or corrected;

(2) Is committing any act, which, if committed by any permittee, would be grounds for the suspension or revocation of a permit issued pursuant to this Chapter;

(3) Has committed any act involving dishonesty, fraud, or deceit whereby another is injured or where the applicant has benefitted;

(4) Has acted in the capacity of a permitted person or firm under this Chapter without having a permit therefor;

(5) Has entered a plea of guilty to, or been found guilty of, or been convicted of a felony, or a crime involving moral turpitude, and the time for appeal has elapsed or the judgment of conviction has been affirmed on appeal, irrespective of an order granting probation following such conviction suspending the imposition of sentence, or of a subsequent order under the provisions of Penal Code § 1203.4 allowing such person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the plea or verdict of guilty, or dismissing the accusation of information.

(d) *Liability Insurance.*

(1) The permittee shall obtain and keep in force during the term of said permit comprehensive general liability insurance issued by a company authorized to do business in the State of California, insuring the owner, and also naming the County as an additional insured of such ambulance against loss by reason of injury or damage that may result to persons or property from negligent operation or defective maintenance of such ambulance, or from violation of the chapter or local EMS Agency protocols or of any other law of the State of California or the United States. Said policy shall be in a sum determined annually by County Risk Management for personal injury to or death of any one person in any single accident; or destruction of property in any one accident. Workers' Compensation insurance shall be carried covering all employees of the permit holder. Before the Health Officer shall issue a permit, copies of the policies or certificates evidencing such policies shall be filed with the Department. All policies shall contain a provision requiring a 30-day notice be given to the Department prior to cancellation, modification, or reduction in limits.

(2) Public providers shall show evidence of liability protection in the form of copies of insurance policies, official action of their governing body or other legal documents.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0807 Content of Permit.

The permit shall specify the dates of issuance and of expiration, the operating area(s) of the County within which the permittee may provide ambulance service, the number of ambulance units to be used by the permittee, the level or levels of service to be provided, and any special conditions regarding communication, equipment, personnel, special rates, or waiver of requirements deemed appropriate by the Health Officer.

(Ord. 2084, passed - -1976; Am. Ord. 2511, passed - -1981; Am. Ord. 3251, passed - -1998)

§ 31.0808 Amendment of Permits.

Upon request by the permittee, the Health Officer may amend the conditions specified in a permit if he or she finds such changes in substantial compliance with the provisions of this Chapter. Such amendment shall not affect the expiration date of the existing permit, or shall it authorize a change in ownership from that specified in the original permit.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0809 Renewal of Permits.

Permits shall be renewed annually by the Health Officer upon application of the permittee if the permittee proposes no substantial change in the content of the permit, and if the Health Officer determines that the permittee has during the period of the expiring permit operated in conformity with the provisions of this Chapter and the rules and regulations of the Department, and that he or she is capable of continuing operation in conformity with the rules and regulations of the Department.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0810 Suspension and Revocation of Permits.

(a) The Health Officer, after conducting a hearing pursuant to §§ 31.0601-31.0605, shall be empowered to suspend or revoke the permit issued under the provisions of this Chapter to operate an ambulance service when it has been found after investigation that the permittee or any partner, officer, or director:

- (1) Violates any section of this Chapter or the EMS Plan, or any rules or regulations that are promulgated by the Department or the local EMS Agency which relate to his permit activities;
- (2) Is convicted of any felony;
- (3) Is convicted of any misdemeanor involving moral turpitude;
- (4) Is convicted of any offense relating to the use, sale, possession, or transportation of narcotics or habit-forming drugs;
- (5) Commits any act involving dishonesty, fraud, or deceit whereby another is injured, or whereby the permittee has benefitted, or any act involving moral turpitude;
- (6) Has misrepresented a material fact in obtaining a permit, or is no longer adhering to the conditions specified in his permit;
- (7) Aids or abets an unlicensed or uncertified person to evade the provisions of this Chapter;
- (8) Fails to make and keep records showing his transactions as a permittee, or fails to have such records available for inspection by the Health Officer or his or her duly authorized representative for a period of not less than three years after completion of any transaction to which the records refer, or refuses to comply with a written request of the Health Officer to make such record available for inspection;
- (9) Accepts an emergency call within permitted area when either unable or unwilling to provide the requested service or fails to inform the person requesting such service of any delay and fails to obtain the consent of such before causing an ambulance to respond from a location more distant than the one to which the request was directed;
- (10) Fails to pay required fees or penalties.

(b) If any of the managers of an ambulance service are found after hearing to have acted in the manner set forth in Subdivisions (a)(2), (3), (4), or (5) hereof, the ambulance service shall not have its permit suspended or revoked unless it shall have failed, for more than 15 days after the completion of said hearing to have removed the manager or managers found to have so acted.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0811 Suspension, Conditional Operation, and Temporary Variance.

In the event of any interruption of service of more than 24 hours duration, or any substantial change in the ambulance service, which causes, or threatens to cause, the ambulance service to be carried out different from that specified in the current permit, the permittee shall notify the Health Officer immediately in writing, stating the facts of such change.

Upon request by the permittee, the Health Officer may grant a temporary variance in writing from the conditions specified in the original permit if he or she finds that such change is in substantial compliance with the provisions of this Chapter. If the Health Officer finds that such change is not in substantial compliance with this Chapter, he or she may suspend, revoke or amend the permit by written notice.

No permit shall be transferred to another person except upon prior approval of the Board after timely review and report thereon by the Health Officer.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0812 Appeal Procedure.

(a) If the renewal of a permit is denied by the Health Officer or if the Health Officer suspends or revokes a permit, the permittee shall be given written notice specifying the action taken, and the effective date thereof. Such notification shall be by registered or certified mail. The permittee shall, upon written request, be entitled to a hearing as provided in Title 3, Division 1, Chapter 6 of this Code (§§ 31.0601-31.0605). The permittee's request for a hearing shall be made within ten days of receiving the notice of denial, revocation, or suspension. The permittee shall then be afforded a hearing prior to the effective date of denial, suspension, or revocation. When a permittee is, or becomes, unable to provide the required level of ambulance service because of a lack of an operating vehicle, properly equipped vehicle, insurance, or personnel to serve and such a lack or failure constitutes a substantial decrease in ability to provide the level of ambulance service required by this Chapter, then the suspension or revocation of the Health Officer shall be effective when notice of such is sent to the permittee, and shall be in effect thenceforth unless that disposition is changed after a hearing requested by the permittee. The hearing shall be held within seven days of the suspension or revocation. The Health Officer may, after such hearing, affirm, modify, or set aside the original decision. The Health Officer shall notify all public safety agencies, County Communications Division, and all hospitals in the respective permit area if the permit renewal is denied or if a permit is suspended or revoked.

(b) If the Health Officer denies the renewal of or suspends or revokes a permit, the permittee shall have the right to demand a hearing by the Board of Supervisors. A request for a hearing shall be made in writing to the Clerk of the Board within 20 calendar days following the denial, suspension, or revocation of the permit. Upon receipt of a written request, the Clerk of the Board shall set the matter for hearing as soon as reasonably possible but not more than 60 days following receipt of the written request and give notice to the appellant and the Health Officer of the date set for the hearing. The hearing shall be conducted in accordance with the provisions of the County Administrative Hearing Process. The decision of the Board of Supervisors upon any such appeal shall be final unless within 30 days of mailing of written notice of such decision the emergency service provider shall have filed an action with the Superior Court under the provisions of Code of Civil Procedure § 1094.5 for review pursuant to administrative mandamus.

Pending any appellate procedure herein provided, no change shall occur unless the Health Officer shall, in his or her discretion, determine that an emergency situation exists requiring the substitution of another emergency services provider on an interim basis.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0813 Service Requirements.

(a) Each ambulance service shall provide ambulance service (of the level or levels specified in his or her permit) on a continuous 24 hours per day basis, excluding acts of God or labor disputes. If for any reason an operator stops providing the prescribed level or levels of ambulance service on a continuous 24 hours per day basis, he or she shall immediately stop any advertisement of emergency

services which have been discontinued and immediately notify the Health Officer.

(b) Exceptions: Special events permittees.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0814 Conformance with Operating Areas.

No ambulance service shall, but for the exceptions below, provide emergency medical services for ambulance calls originating within the County outside the territorial limits fixed in the permit issued to him or her.

(a) *Exceptions.* A permittee may provide service for ambulance calls outside the territorial limits fixed in the permit issued to him or her:

(1) Upon request by any law enforcement or governmental agency having jurisdiction pursuant to written mutual aid agreements approved by the Health Officer;

(2) Upon request of a permittee in an adjoining service area/zone, when such permittee does not have an ambulance or level of service immediately available in the operating area from which a request originates, and when ambulance service is immediately required;

(3) To provide medically required specialized transportation services not immediately available for a patient in another operating area if such specialized services have heretofore been approved in accordance with § 31.0827.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0815 Communications Requirements.

Each ambulance service operating in the County shall establish and maintain radio contact with a central point designated by the County or the local EMS Agency and its local base of operation where technically feasible. Radio procedures prescribed by the County Communications Division shall be utilized.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0816 Standards for Operation of an Ambulance Service.

Each ambulance service shall operate in accordance with Administrative Code Title 13 and those standards and guidelines established by the local EMS Agency and the State of California Emergency Medical Services Authority.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0817 Standards for Dispatch.

Upon a request in writing by a local fire agency, an ambulance service shall enter into an agreement with the fire agency that would direct the ambulance company to report any emergency calls received directly from private parties to the fire agency dispatch center.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0818 Ambulance Safety and Emergency Equipment Requirements.

Ambulances shall be maintained at all times in good mechanical repair and in a clean and sanitary condition.

(a) *Minimum Equipment.* All ambulances shall be equipped with all safety and emergency equipment required for ambulances by the California Vehicle Code and the California Administrative Code and administrative rules of the County Health Officer and the local EMS Agency as the same are now written, or hereafter amended.

(b) *ALS and LALS Ambulance Equipment.* In addition to the regular ambulance equipment and supplies, the ALS and LALS ambulances shall also be equipped as required by administrative rules of the County Health Officer and the local EMS Agency.

(c) *Maintenance of Emergency Equipment and Supplies.* Dressings, bandaging, instruments, and other medical supplies used for care and treatment of patients shall be protected so they are suitable for use from a medical standpoint.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0819 Ambulance Personnel.

(a) *Ambulance Driver.* Every person who drives an ambulance within the County, while responding to emergency calls, shall comply with the requirements in the California Administrative Code for ambulance drivers. The driver shall also hold a certificate as an EMT-IA, EMT-II, or EMT-P.

(b) *Ambulance Attendant.* An ambulance attendant shall be trained and competent in the proper use of all emergency equipment required by this Chapter, and shall hold the required certification to satisfy the level of service as specified in the permit.

(c) *Attendant Required.* Each ambulance being operated within the County, in response to an emergency call, shall be staffed by both a driver and attendant, unless the ambulance service operator has been exempted. The attendant of an ambulance responding to an emergency call shall occupy the patient compartment while transporting any person in apparent need of medical attention.

This Section shall not apply during any "state of emergency," or "local emergency" as defined in the Government Code of the State of California.

(Ord. 2084, passed - -1976; Am. Ord. 2841, passed - -1984; Am. Ord. 3251, passed - -1998)

§ 31.0820 Ambulance Rates.

No ambulance service shall charge more than the following rates:

(a) *One Patient.* The schedule of maximum rates that may be charged for ambulance service for one patient shall be as initially set by resolution adopted by the Board of Supervisors, and as adjusted thereafter as provided in this Chapter.

(b) *Rates for Multiple Loads.*

(1) Each additional stretcher or Gurney patient carried at the same time may be charged the full base rate for response to the call and half the mileage rate.

(2) Each additional sit-up patient shall be charged half the base rate for response to the call and half the mileage rate.

(3) This Section does not apply to contractual agreements.

(c) *No Charge Transports.* No charge shall be made for transporting uninjured or well persons who accompany a patient.

(d) *Computation of Rates.* All rates are to be computed from the time the ambulance arrives for hire until the ambulance delivers the patient to the appropriate destination, and is discharged by the patient or his or her representative, attending physician, or emergency receiving facility.

(e) *Fees for Service, Supplies, and Equipment.* When a ground ambulance has been dispatched and ambulance personnel and/or equipment are directly involved with patient care even though a helicopter transports, then the ambulance service shall be entitled to charge an appropriate fee for its service, supplies and equipment.

(f) *Rate Adjustment.* The current rates shall be adjusted in an amount necessary to properly compensate ambulance providers for changes (increases or decreases) in their direct and indirect costs based on the change in the Consumer Price Index (CPI) as set forth herein. The adjustments shall be made on July 1 of each year based upon the change in the CPI from January 1 of the proceeding year to January 1 of the adjustment year. The first rate adjustment shall be made effective July 1, 2005 based on the change of CPI from January 1, 2004, to January 1, 2005. The CPI adjustment shall be determined by multiplying the base amounts by the average of the percentage changes of the transportation portion and of the medical portion of the CPI for All Urban Consumers, Western Region, Los Angeles, Riverside, Orange Counties, California, as compiled and reported by the Bureau of Labor Statistics for the 12-month period up to January 1 of the adjustment year. The Health Officer shall be responsible for calculating the rate adjustments. Yearly

CPI adjustments shall not exceed five percent for any single year.

(1) The CPI adjustment shall be calculated by April 15 of each year. The CPI adjustment shall be effective as of the first day of July of each year.

(2) If the selected CPI is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the CPI had not been discontinued or revised.

(3) In addition to, and not in lieu of, annual CPI adjustments, rate increases or decreases in an amount equal to the ambulance providers' extraordinary increases or decreases in their cost of operations may also be granted. The Health Officer shall determine the application process for such extraordinary cost increases or decreases. Such extraordinary cost increases or decreases shall be subject to Board approval. Any rate adjustment due to extraordinary circumstances shall be effective ten days after having been published in a newspaper of general circulation within the effective service area, once a week for two weeks. This procedure may also be used to obtain rate adjustments due to changes in the CPI that are greater than the five percent cap under the yearly CPI adjustment, above.

(4) The County Health Officer at the time of any extraordinary adjustment under Subdivision (3) above, may request an audit of books and records of a permittee for the purpose of verifying revenue and cost data specifically associated with the extraordinary rate increase request. Such an audit shall be carried out by a person selected by the permittee and approved by the Health Officer. If the County Health Officer and permittee cannot agree on a person to perform the audit, then the audit shall be carried out by a Certified Public Accountant selected by the County Health Officer. If there is any charge, cost or fee for such an audit, such shall be paid by the permittee. The County Health Officer may deny any adjustment if an audit is requested and not produced. Every audit shall be done promptly, and within 30 days of the time it is requested so that there should be no undue delay.

(g) *Collection of Fees Prior to Delivery of Services.* Under no circumstances shall ambulance personnel dispatched on a Code 3 call attempt to collect for services provided prior to the delivery of the patient at an appropriate medical facility. In situations where the patient is not transported, the ambulance provider may not charge the patient for services rendered.

(h) *Rates Applicable to All Ambulance Providers.* At the direction of ICEMA, and when authorized pursuant to the local EOA Plan, the ambulance rates established under this Section shall apply to all providers of ambulance services which are subject to the regulatory authority of ICEMA.

(i) Under no circumstances shall ambulance personnel dispatched on a Code 3 call attempt to collect for the service prior to the delivery of the patient at an appropriate medical facility.

(j) At the direction of the local Emergency Medical Services ("EMS") Agency, and when authorized pursuant to the local EMS Plan, the ambulance rates established under this Section shall apply to all providers of ambulance services which are subject to the regulatory authority of the EMS Plan.

(Ord. 2084, passed - -1976; Am. Ord. 2511, passed - -1981; Am. Ord. 3718, passed - -1998; Am. Ord. 3914, passed - -2004; Am. Ord. 3965, passed - -2005)

§ 31.0821 Continuation of Call.

An ambulance based and properly licensed outside the County shall be authorized to transport a patient to or through the County but shall not be authorized to transport patients originating in the County, except under the conditions of § 31.0802. In order to maintain proper medical support, communications shall be maintained with the ambulance dispatch center for the area. ALS ambulances shall establish and maintain communications with and medical control from a base station in conformance with the rules of the local EMS Agency.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0822 Temporary Permit.

The County Health Officer may authorize a temporary permit to an ambulance service based outside the County and properly licensed by the California Highway Patrol up to 30 days for special events. Such temporary permit shall conform to the requirements of § 31.0807 and shall contain such additional conditions and restrictions that the County Health Officer deems appropriate for the operation.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0823 Emergency and Disaster Operations.

During any "state of war emergency," "state of emergency," or "local emergency," as defined in the California Emergency Services Act (Government Code Chapter 7 of Division I of Title 2), as amended, each ambulance service shall within reason provide equipment, facilities, and personnel as requested by the County Health Officer.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0824 Mutual Aid Requirements.

(a) Whenever the County Health Officer or his or her designee determines that ambulance resources within the County are inadequate to respond to a County emergency/disaster, a request for emergency ambulance mutual aid may be made to any County Health Officer or his or her designee within any county of the state or adjoining states. Whenever the County Health Officer or his or her designee receives a request involving emergency ambulance mutual aid from any County Health Officer or his designee, such resources shall be provided as are available.

(b) Where a permittee needs additional equipment or personnel beyond that which he or she is usually able to supply, he or she shall request such additional resources from adjacent area providers within the County who shall provide such resources as are available, except when the adjacent provider determines that such mutual aid would unreasonably remove adequate transportation equipment from the adjacent provider permitted area.

(c) Whenever the County Health Officer or his or her designee determines that ambulance resources within an operating area are inadequate or nonexistent because the ambulance service's permit has either been suspended, revoked or not renewed, then the Health Officer or his or her designee may order another permittee to provide service in the operating area until a permanent provider can be selected. In such instance the EMCC shall be notified, and the problem shall be acted upon by the EMCC. No permittee shall be required to service the vacated area for more than 30 days during which time the Health Officer shall attempt to obtain the service of another provider.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0825 User Complaint Procedures.

Any user or subscriber to an ambulance service contending that he or she has been required to pay an excessive charge for service or that he or she has received unsatisfactory service, may file a written complaint with the Department setting forth such allegations. The Department shall notify the ambulance service of the details of such complaint, and shall investigate the matter to determine the validity of the complaint. If the complaint is determined to be valid, the Department shall take reasonable and proper actions to secure compliance with the conditions of this Chapter.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0826 Enforcement Responsibilities.

(a) The Department shall make all rules and regulations deemed necessary and reasonable, subject to the approval of the Board, covering ambulance service operation, ambulance equipment, ambulance vehicles, ambulance personnel and rates and for the effective and reasonable administration of this Chapter.

(b) The Department shall inspect the records, facilities, vehicles, equipment, and methods of operations whenever such inspections are deemed necessary.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)

§ 31.0827 Specialized Transportation Services.

(a) Upon receiving an application, the Health Officer shall conduct a hearing into whether any specialized transportation services are necessary and appropriate for any or all portions of the County.

(b) The hearing shall be conducted in accordance with § 31.0805 hereof.

(c) If such specialized transportation services are found necessary and appropriate, an annual permit shall be provided to the applicant upon the same terms and conditions required for nonspecialized ambulance services.

(d) Where such specialized transportation services are found necessary and appropriate, the ambulance service currently supplying BLS, LALS, or ALS service shall be given the first right to provide such additional service in its area.

(Ord. 2084, passed - -1976; Am. Ord. 3251, passed - -1998)