

**COUNTY OF LOS ANGELES
TITLE 7 BUSINESS LICENSES – CHAPTER 7.16 AMBULANCES
PROPOSED REVISIONS COMMENTS
November 18, 2008**

SECTION	NAME/ORGANIZATION	COMMENT	EMS RESPONSE
General Comments	Downey Fire Department	<p>Add language at the beginning of the Document that specifically clarifies the scope of the Ordinance. In the clarification, please include the areas the Ordinance does not apply. The Ordinance should not apply to 'public provider' Ambulance Programs. Whether a City chooses to staff an Ambulance of any type is not the operational or financial business of the EMS Agency. The issue should be the EMS Agency providing the Administrative direction for ambulance service (i.e. number of staff, training curriculum). This administrative direction is already provided.</p> <p>It is not proper for the EMS Agency to demand a 'position of approval' (license/ contract) for the operation of an ambulance by a public provider. Local agencies decide how best to provide EMS coverage (including transport) for their Communities.</p> <p>Of interest for public providers should be the staff level, training of the Ambulance staff and the Certification of the vehicle. Staffing is addressed in other documents. Both training and vehicle certification are already addressed through other means. Follow-up for any misconduct is also addressed through other agencies and rule sets.</p>	<p>Comment Acknowledged – Change will be made in Section 7.16.005 (D) to further clarify that the Ambulance Ordinance does not apply to public/governmental agencies.</p> <p>Comment Acknowledged – unclear what is being requested.</p> <p>Comment Acknowledged – unclear what is being requested.</p>
7.16.005	City of San Gabriel	I am writing to ask you to modify Section 7.16.005(D) to read: “No part of this chapter shall apply to a governmental agency.” What I am asking for is language that makes it clear that cities are exempt from Chapter 7.	Change will be made

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7.16.005	City of South Pasadena	<p>The language of this ordinance does not completely exempt governmental agencies. It only exempts the requirement to obtain a license to operate an ambulance and to obtain a vehicle license. The language does not appear to exempt governmental agencies from other requirements of Chapter 7, such as personnel licenses and qualifications, operational practices, equipment and fees for service.</p> <p>In order to prevent confusion or misinterpretation in the future, it is important to make clear that the Board of Supervisors does not intend to regulate ambulances operated by governmental agencies. Please modify Section 7.16.005 (D) to read: "No part of this chapter shall apply to a governmental agency."</p> <p>The Legislative Intent (page 2, Section 7.16.005) clearly states that the Board intends to set maximum fees, regulate ambulances at special events, define the equipment required, and require that ambulance drivers carry Ambulance Driver certificates.</p>	<p>Comment Acknowledged</p> <p>Change will be made</p> <p>Comment Acknowledged – No Change, revision to Section 7.16.005 (D) will address this issue</p>
7.16.005	Culver City Fire Department	<p>Culver City took a close look at the ambulance ordinance and do find reason to put an exception for governmental agencies. We have council resolutions that are in conflict with parts of the ordinance. I agree with John Penido's comments to modify Section 7.16.005 (D) to read: "No part of this chapter shall apply to a governmental agency". I hope this helps.</p>	<p>Change will be made</p>
7.16.005	City of San Marino	<p>I have reviewed the October 21, 2008 draft of the proposed changes to the County Code regarding ambulances. I am pleased to see that you have included in Section 7.16.005(D) and Section 7.16.041 an exemption for governmental agencies.</p>	<p>Comment Acknowledged – No Change</p>

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		<p>The language of these sections, however, exempts governmental agencies only from the requirement to obtain a license to operate an ambulance and to obtain a vehicle license. The language does not appear to exempt governmental agencies from other requirements of Chapter 7, such as personnel licenses and qualifications, operational practices, equipment and fees for service.</p> <p>In order to prevent confusion or misinterpretation in the future, it is important to make clear that the Board of Supervisors does not intend to regulate ambulances operated by governmental agencies. Please modify Section 7.16.005(D) to read: “No part of this chapter shall apply to a governmental agency.”</p>	<p>Comment Acknowledged – No Change</p> <p>Change will be made</p>
7.16.005	City of Monterey Park	<p>I have reviewed the October 21, 2008 draft of the proposed changes to the County Code regarding ambulances. I am pleased to see that you have included in Section 7.16.005(D) and Section 7.16.041 an exemption for governmental agencies.</p> <p>The language of these sections, however, exempts governmental agencies only from the requirement to obtain a license to operate an ambulance and to obtain a vehicle license. The language does not appear to exempt governmental agencies from other requirements of Chapter 7, such as personnel licenses and qualifications, operational practices, equipment and fees for service.</p>	<p>Comment Acknowledged – No Change</p> <p>Comment Acknowledged – No Change</p>

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		<p>In order to prevent confusion or misinterpretation in the future, it is important to make clear that the Board of Supervisors does not intend to regulate ambulances operated by governmental agencies. Please modify Section 7.16.005(D) to read: "No part of this chapter shall apply to a governmental agency."</p>	<p>Change will be made</p>
7.16.005	City of La Verne Fire Department	<p>I am pleased to see that you have included in Section 7.16.005 (D) and Section 7.16.041, an exemption for governmental agencies.</p> <p>The language of these sections, however, exempts governmental agencies only from the requirement to obtain a license to operate an ambulance and to obtain a vehicle license. The language <u>does not</u> appear to exempt governmental agencies from other requirements of Chapter y, such as personnel licenses and qualifications, operational practices, equipment and fees for service.</p> <p>In order to prevent confusion or misinterpretation in the future, it is important to make clear that the Board of Supervisors does not intend to regulate ambulances operated by governmental agencies. Please modify Section 7.16.005 (D) to read: "No part of this chapter shall apply to a governmental agency."</p>	<p>Comment Acknowledged – No Change</p> <p>Comment Acknowledged – No Change</p> <p>Change will be made</p>
7.16.005	Santa Monica Fire Department and Los Angeles Area Fire Chief's Association	<p>The proposed language lacks delineating clauses and definitions which specify that these requirements are applicable only to private ambulance providers and exempts public or governmental agencies. The current draft language makes this distinction only twice:</p>	<p>Comment Acknowledged</p>

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SECTION	NAME/ORGANIZATION	COMMENT	EMS RESPONSE
		1. Section 7.16.005 (A), (B) and (C) must explicitly state Title 7 Business Licenses, Chapter 7.16 is applicable to only private ambulance providers and exempts public or governmental agencies.	Comment Acknowledged – No Change, for clarity and to avoid redundancy change will be made to 7.16.005 (D) as requested above.
7.16.005 (A), (B), (C)	Pasadena Fire Department	This section [each] should specify “private” or “non-public” ambulance services	Comment Acknowledged – No Change, for clarity and to avoid redundancy change will be made to 7.16.005 (D) as requested above.
7.16.005 (C)	Los Angeles County Ambulance Association, Inc.	It should be clearly defined that this is for <u>existing</u> “non-County” licensed ambulance providers. Providers starting business after the adoption date should be required to have a County license prior to conducting business anywhere in Los Angeles County. Existing non-County Licensed Providers that apply for a County license need to show proof of operating inside one of the 88 cities prior to the adoption date.	Change will be made
7.16.010	Beverly Hills Fire Department	<p>The proposed language in said Draft lacks strong and delineating clauses/definitions which exempt public or governmental agencies from the proposed changes. While it was informally clarified in November of 2007, subsequent to the initial propose changes that said Code does not apply to public and governmental agencies from falling subject to the proposed changes.</p> <p>7.16.041 License exemptions <i>“No ambulance operator and no ambulance vehicle license is required where the ambulance operator is a governmental agency.”</i></p>	Comment Acknowledged

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7.16.010 (H) and (I)	Santa Monica Fire Department and Los Angeles Area Fire Chief's Association	Please consider the following recommended text changes: 3. Section 7.16.010 (H) and (I). Eliminate "Code 2" and "Code 3" terminology and replace with "Non-Emergency and Emergency" for clear text.	Comment Acknowledged – No Change, terminology is consistent with California Highway Patrol language and "emergent" and "non-emergent" have already been added for clarity.
7.16.040	MedCoast Ambulance Service and Private Ambulance Provider's Association	"Every ambulance" will there be a grace period on the fees for "all" vehicles which transport patients? Will these fees be reduced because of the significant increase to each company if all vehicles are required to be permitted? Where does this significant increase of revenue go? Filling the positions of inspectors?	Comment Acknowledged – No Change, there is no change to the vehicle licensing fee schedule.
7.16.050	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	Why should established applicants need to furnish financials? We have already proven ourselves to the county. Why is the sufficient liquid assets reduced from 6 months to two months? It should remain the same. Why should the audited financials be required if "available" if given a choice no one will provide audited References and evidence of applicants' qualified management should be detailed.	Comment Acknowledged – No change, this does not apply to <u>existing</u> licensed providers Comment Acknowledged – No change, this revision was made based on recommendation by the County's Auditor/Controller's Office Change will be made Comment Acknowledged – No change

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SECTION	NAME/ORGANIZATION	COMMENT	EMS RESPONSE
		<p>Qualifications of dispatchers should be detailed to be EMT or EMT certified.</p> <p>Reviewing applicants dispatch logs for thirty days, verify if they had business licenses for those jurisdictions they operated.</p> <p>Section B/1. Why are emergency response times included within this ordinance? Isn't this specific to 911 area contracts?</p>	<p>Comment Acknowledged – No change, this is addressed in the Prehospital Care Policy Manual</p> <p>Comment Acknowledged – No change, unclear what is being requested</p> <p>Comment Acknowledged – No change, not specific to 9-1-1 area contracts, applies to all licensed providers</p>
7.16.050 (A) (1)	Los Angeles County Ambulance Association, Inc.	<p>The sentence states: “Current audited profit and loss statement shall be provided if available.”; Recommend that “if available” be removed, it should be required, an applicant if given this choice, applicant will always say it's not available. Audited Financial information independently reviewed by a CPA firm.</p> <p>Comment: Audited financials by a CPA firm will give the County protection that an applicant has complied with the financial requirements of this section and that an applicant has a realistic financial plan for providing ambulance service within Los Angeles County with a lower risk of financial failure.</p>	Change will be made
7.16.050 (A) (3)	Los Angeles County Ambulance Association, Inc.	Current ordinance requires 6 month of liquidity; the proposed is asking for two months; we request that it remain at 6 month requirement. Comment: Note that cash flow from billing revenue takes about 90 days to fully mature. Six months give the County better protection from a company failing during the first few months of operations.	Comment Acknowledged – No change, this revision was made based on recommendation by the County's Auditor/Controller's Office

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7.16.050 (C)	Los Angeles County Ambulance Association, Inc.	Section requests testimony written, verbal or both; Delete Item “C” in it’s entirety, support letters / testimony are irrelevant if there is no need & necessity in the ordinance;	Comment Acknowledged – No change, these reference letters are not related to need and necessity
7.16.050 (I) (4)	Los Angeles County Ambulance Association, Inc.	Rewrite request; County Proposed: “4. Applicant must show proof of a current business license issued by any jurisdiction within the County.” Recommend change to: “4. Applicant must show proof of any current business licenses issued by any jurisdiction.”	Change will be made
7.16.050 (M)	Los Angeles County Ambulance Association, Inc.	Dispatch policy & procedures is good, but somewhere in this section should include in the ordinance that the applicant shall comply with the policies of the Los Angeles County Pre-hospital Care Manual;	Change will be made
7.16.051	Los Angeles County Ambulance Association, Inc.	Should follow the same process & procedure for licensing as a regular ambulance operator; should be required to follow same policies such as training Quality Improvement, etc.;	Comment Acknowledged – No change
		Any special events providers shall be identified as such and must reapply for a full license if the special events operator wants to start 24 hour transport operations;	Change will be made
		Any currently licensed ambulance operator that is NOT providing 24 hour service as mandated under the current ordinance should either begin providing the services as required or their license should be amended as a special events only operator;	Comment Acknowledged – No change
		The requirement under section H, page 14, requiring the special events operator to notify the Director of any special events stand by seven days prior to the event, request this be eliminated from the ordinance.	Comment Acknowledged – No change

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7.16.051	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	Evidence of technically qualified management in BLS or ALS should be clearly defined.	Comment Acknowledged – No change
7.16.051	Antelope Ambulance Service	<p>The County needs to clearly define if there currently are any “Special Events” operators licensed by the County. The County’s licensed ambulance provider list (copy attached) does not define which company has a special events only provider status, ambulette only provider, etc.</p> <p>If there are providers that have a “full non-restricted license”, but only provides special events service, then the license needs to amended to show special events only or the company needs to provide 24 hour a day, 7 days a week coverage along with complying with the rest of the ordinance.</p> <p>We do not mean to pick on one provider but we don't know any other way to ask this question. MedExpress Transportation is listed on the ambulance provider list by the County, but the company only provides ambulette service, not <u>ambulance</u> service. Does this company hold an ambulette license or ambulance license? Are there other companies licensed by the County that do not provide services in L.A. County or fail to provide ambulance service altogether?</p> <p>Licensed providers are recognized by the County in the County’s licensed ambulance provider list. This list does not jive with the providers listed in the Los Angeles County Pre-Hospital Care Policy Manual, Reference 401, Provider Directory. Many non-County licensed providers (not the</p>	<p>Comment Acknowledged – This is identified on the Licensed Ambulance Provider Roster. There are currently no licensed ambulance operators licensed for special events only.</p> <p>Comment Acknowledged – Currently under review</p> <p>Comment Acknowledged – No change, the Licensed Ambulance Provider Roster does show them as a “Van” only operator. Will review roster for possible changes</p> <p>Comment Acknowledged – No change, will review Ref. No. 401 for possible changes.</p>

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		Government agencies) are listed, yet are not licensed to provide services by the County. This is an area that causes some concern.	
7.16.060	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	<p>Notice of time and place of hearing needs to be detailed how current providers will be notified.</p> <p>If a provider is suspended, does that mean cease of all operations within the county? Can this be enforced?</p> <p>Will the other licensed providers be notified of such probations and or suspensions in a timely manner?</p>	<p>Comment Acknowledged – No change</p> <p>Comment Acknowledged – No change</p> <p>Comment Acknowledged – No change, other licensing agencies will be notified.</p>
7.16.100 (A) (7)	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	What is the difference of the stricken statement and addition of “for the provision of such services”	Comment Acknowledged – No change, revision was made for clarity
7.16.110	Beverly Hills Fire Department	<p>It is important to include explicit language in said Draft, excluding public entities from falling subject to the proposed changes. As such, please consider the following recommendations:</p> <ul style="list-style-type: none"> • Ambulance licenses are not required for public or governmental agencies. 	Comment Acknowledged – No Change, for clarity and to avoid redundancy change will be made to 7.16.005 (D) as requested above.
7.16.130	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	<p>DHS shall not license any private hospital. Does this fit the service at Downey Regional Hospital?</p> <p>What exactly is the counties definition and expectations of a provider to “promulgate” employees regarding licenses?</p>	<p>Comment Acknowledged – No change, they are exempt</p> <p>Comment Acknowledged – unclear what is being requested.</p>

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7.16.130 (B)	Los Angeles County Ambulance Association, Inc.	Request a re-write; “The granting a request for a waiver would be based on a finding that the public convenience and necessity requires issuance of the ambulance operator’s license.”; request to re-write without the N&N type language;	Comment Acknowledged – No change, this is not related to need and necessity
7.16.160 (B) and (C)	MedCoast Ambulance Service and President, Private Ambulance Provider’s Association	<p>Item B; <i>Comment: Allow for ambulance providers to send electronic file showing licensing for each employee as part of compliance;</i></p> <p>Item C; “Every ambulance operator shall be responsible for promulgating and enforcing employee rules to ensure compliance with this section. An ambulance operator that is found to have an employee that is working on an ambulance that has expired licenses or is unlicensed shall be subject to an administrative fine in an amount up to \$5,000.00 as well as the appropriate penalties and fines defined in Chapter 7.04.”</p> <p>Comment: Reason for change, employees during a work action could refuse to show licenses in mass, causing a potential for erroneous fines to be issued to the employer when the employee actually does have current licenses;</p> <p>The employer has a “good faith” expectation that the employee will carry their licenses on their person. Require the employer to provide a policy (that is approved by the County) that requires the employee to carry for inspection all required licenses on their person, with a written policy that describes the disciplinary procedures if an employee fails to comply with the policy. This policy would only address employees that fail to carry their licenses.</p>	<p>Comment Acknowledged – No change, Ordinance allows for this as written</p> <p>Comment Acknowledged – No change, EMS Agency would not ask for licenses/certificates from employees involved in a work action</p> <p>Comment Acknowledged – No change, this is operational and is not appropriate in the Ordinance</p>

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		An employee that is unlicensed or has expired licenses, the employer would then be subject to the administrative fine and/or other appropriate penalties.	
7.16.210	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	Why should there be an age limit on vehicles? If CHP approves they are "road safe" they are.	Comment Acknowledged – No change, this section of the Ordinance has not been revised.
7.16.215	Los Angeles County Ambulance Association, Inc.	Elimination of Item B; <i>Comment: As the ambulance measurements continue to change and have changed in the past few years, existing ambulances such as the full size Leader units used by many in this County do not comply under this ordinance specification now. With the changes from Ford, to Dodge Sprinter, to Chevy GMC, and body style changes that occur each year, we feel that this section does not keep pace with the ambulance industry vehicle body changes; Suggestion to eliminate this section;</i>	Change will be made
7.16.240	MedCoast Ambulance Service and President, Private Ambulance Provider's Association	A special event provider is capable, and licensed as an ambulance provider by CHP, they should not be exempt from any licenses and or fees that BLS providers are responsible for maintaining (e.g. odometer testing).	Change will be made
7.16.240	Los Angeles County Ambulance Association, Inc.	(Proposed ordinance): providers are exempted from the vehicle odometer test; Comment: ALL providers shall be subject to the vehicle odometer test by the Department of Weights & Measures. Equipment requirements and vehicle testing requirements should be the same for all ambulances licensed by the County. You can not guarantee that a special events provider will never transport a patient.	Change will be made

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7.16.280 (3) and (4)	Santa Monica Fire Department and Los Angeles Area Fire Chief's Association	Please consider the following recommended text changes: Code 2 and Code 3 should be changed to be consistent with the balance of the document and include Non-emergency and Emergent or Non-Emergency and Emergency.	Change will be made
7.16.280	Los Angeles County Ambulance Association, Inc.	Comment: The asterisk * Editor's note, should make reference to the Bi-Annual base rate increase and show new base rates effective January 1, 2009; most likely the ordinance is not going to be effective anytime before January 1, 2009.	Comment Acknowledged – No change, this is addressed in Section 7.16.341
7.16.310	Los Angeles County Ambulance Association, Inc.	Request special charges be added for the following services: AED – Automated External Defibrillator Bariatric Transport Glucometer (for ALS use) Pulse Oximeter (for BLS use) Extra Attendant – (already an approved charge by MediCal) Compressed Air – (already an approved charge by MediCal) Heart Monitor – 3 Lead or 12 Lead (already an approved charge by MediCal & LAC Overflow agreements)	Comment Acknowledged Change will be made No change No change, this is part of the ALS base rate No change, this is not within the Los Angeles County scope of practice for EMT-Is No change No change, this is part of the ALS base rate and has been approved for MediCal billing.

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		<p>Comment: The way we are going to add special services in the future such as AED is going to have the ability to at some point charge for these services; We are requesting that these items be added to the special charges list;</p> <p>The asterisk * Editor's note, should make reference to the Bi-Annual base rate increase and show new base rates effective January 1, 2009; most likely the ordinance is not <i>going to be effective anytime before January 1, 2009.</i></p>	<p>Comment Acknowledged</p> <p>Comment Acknowledged – No change, this is addressed in Section 7.16.341</p>

**PUBLIC MEETING
ADDITIONAL COMMENTS RECEIVED***

SECTION	NAME/ORGANIZATION	COMMENT	EMS RESPONSE
General Comments	Schaefer Ambulance Service	The requirement to show need and necessity was originally added to the ordinance when the County discontinued provider payment for the EAP program. If the need and necessity requirement is removed from the Ordinance, is the County going to fund the ambulance providers for indigent patient care?	Comment Acknowledged – No change, this is addressed during the RFP process for the Exclusive Operating Areas
General Comments	Los Angeles County Ambulance Association	The Los Angeles County Ambulance Association supports the EMS Agency's efforts in revising the Ambulance Ordinance; however, we are concerned about how enforcement will be accomplished.	Comment Acknowledged
7.16.050 (A) (1)	First Med Ambulance	The cost of providing "audited" financial statements is very costly and time consuming for providers. Would the EMS Agency consider performance bonds in lieu of audited financial statements?	Comment Acknowledged – Currently under review

*Comments that were duplicate or similar to previously received comments have not been included in this Section.