

**AMBULANCE DISTRICT ORDINANCE # 14-02  
REQUIREMENTS AND STANDARDS FOR AMBULANCE SERVICE**

AN ORDINANCE OF THE JOHNSON COUNTY AMBULANCE DISTRICT OF MISSOURI TO ENSURE THE PUBLIC HEALTH AND WELFARE OF THE RESIDENTS OF THE DISTRICT BY ESTABLISHING REQUIREMENTS AND STANDARDS FOR AMBULANCE SERVICE WITHIN THE AREA SERVED BY THE DISTRICT.

WHEREAS, the District is a validly created political subdivision pursuant to RSMo § 190.010;

WHEREAS, RSMO § 190.060.1(7) provides the District with the Power “to adopt such reasonable regulations and Ordinances as may be necessary to render the highest quality of emergency medical care”;

WHEREAS, RSMO § 190.060.1(3) gives the District the authority to act as both an ambulance service provider and the governing body of ambulance service providers within its territory;

WHEREAS, RSMO § 190.060.3 provides that a regulatory ordinance of the District adopted pursuant to any provision of RSMO § 190.060 may provide for a suspension or revocation of any rights or privileges within the control of the District for a violation of any regulatory ordinance.

WHEREAS, RSMO § 190.105.5 provides that the Comprehensive Emergency Medical Systems Act (“ACT”) does not preclude the District from enacting Ordinances not in conflict with the Act;

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE JOHNSON COUNTY AMBULANCE DISTRICT OF MISSOURI, AS FOLLOWS:

**Section I. Definitions:**

- A. Advanced Life Support (ALS): an advanced level of care as provided to the adult and pediatric patient as specified in rules adopted by the Missouri Department of Health pursuant to Chapter 190, RSMo and the Medical Director;
- B. Ambulance: any vehicle or craft that is specially designed, constructed, or modified, staffed, or equipped for, and is intended or actually used, maintained, or operated for the transportation of persons who are sick, injured, wounded, or otherwise incapacitated or helpless or who require the presence of medical personnel to monitor the individual's condition or medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed, or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;
- C. Ambulance Service: any person or entity that provides emergency or non-emergency medical transportation and services pursuant to Chapter 190, RSMo and the rules promulgated by the Missouri Department of Health pursuant to Chapter 190, RSMo;
- D. Board: the Board of Directors of the Johnson County Ambulance District;
- E. County: Johnson County, Missouri, the county in which the District is empowered to operate;
- F. Department: the Department of Health, State of Missouri;
- G. District: Johnson County Ambulance District, a political subdivision; the service area in which the District is empowered to operate;
- H. Emergency: the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy; serious impairment to a bodily function; serious dysfunction of any bodily organ or part; or inadequately controlled pain;

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- I. Emergency Medical Technician-Paramedic (EMT-P): a person who has successfully completed a course of instruction in advance life support care and is licensed by the Department in accordance with standards prescribed by Chapter 190, RSMo, and rules adopted by the Department pursuant to Chapter 190, RSMo;
- J. Emergency Medical Technician (EMT): a person who has successfully completed a course of instruction in Basic Emergency Care and is licensed by the Department in accordance with standards prescribed by Chapter 190, RSMo and rules adopted by the Department pursuant to Chapter 190, RSMo;
- K. Emergency Services: any health care services provided to evaluate and treat medical conditions of recent onset or severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that urgent and unscheduled medical care is required;
- L. EMS Chief: the chief executive officer of the Johnson County Ambulance District empowered pursuant to this Ordinance to carry out the wishes of the Board;
- M. Health Care Facility: a hospital, nursing home, physician's office, or other fixed location at which medical and health care services are performed;
- N. Hospital: a medical facility which is subject to the provisions of Chapter 197, RSMo or a hospital operated by the State;
- O. Medical Control: supervision provided by or under the direction of a physician, licensed pursuant to Chapter 334, RSMo, to a provider by written or verbal communications;
- P. Patient: an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes, or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;
- Q. Person: as used in these definitions and elsewhere in this Ordinance, any individual, firm, partnership, co-partnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau, or fraternal organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;
- R. Protocol: a predetermined, written medical care guideline, which may include standing orders, approved by the District Medical Director as the normal standard of prehospital care for a given clinical condition.

**Section II. Jurisdiction:**

- A. No person, directly or indirectly, and no agency, fire district, department, or organization shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business of providing ambulance services upon the streets, alleys, waterways, or any public way or place within the District's service area, unless such person holds a currently valid license for an ambulance from the Missouri Department of Health and a license issued by Johnson County Ambulance District pursuant to the provisions of this Ordinance.
- B. No ground ambulance shall be operated for ambulance purposes and no individual shall drive, attend, or permit it to be operated for such purposes on the streets, alleys, waterways, or any public way or place within the District's service area, unless the ground ambulance is under the immediate supervision and direction of a person who is holding a currently valid license as an EMT-P or EMT. All calls for ambulance services shall be dispatched through a central dispatch agency selected and approved by the District.

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- C. Exceptions: District licensure provisions and dispatching procedures contained herein shall not apply to:
1. ground ambulance services operated under the management, authority, and approved policies of the District's Board;
  2. air ambulance services;
  3. ground ambulance services operated by an agency of the United States government, or their personnel;
  4. ground ambulance services or their personnel which are rendering assistance at the request of the District in the case of an emergency, major catastrophe, or a declared disaster, or in response to the provisions of a written mutual aid agreement;
  5. ground ambulance services or their personnel which are engaged in the process of transporting a patient from outside Johnson County, Missouri to a location within the County; for this exception to be applicable to the patient's return trip, if at all, the ambulance that transports the patient to the destination within the Johnson County, Missouri must wait for the patient at the destination;
  6. ground ambulance services or their personnel which are operating subject to the provisions of a contract for services between the ambulance service and the District, which has been signed by both parties and ratified by the Board;
  7. personnel associated with the District's sanctioned non-transport Medical Response Teams (medical first responders);or
  8. specialized pediatric ambulance services for the treatment and transfer of premature and/or critically ill or critically injury infants or children.

**Section III. License Requirements:**

- A. Ambulance Service:
1. No ambulance service shall be authorized to operate within the District's service area without a District issued license, except as outlined in Section II C of this Ordinance.
  2. Application for license:
    - a. Submission: Application for an District ambulance service license shall be made upon such forms as may be prepared or prescribed by the District and shall contain:
      - i.The name and address of the applicant and of the owner of the ambulance service; in the event the owner is a corporation, the names, titles, and addresses of the corporate officers must be provided;
      - ii.The trade or other fictitious name, if any, under which the applicant does business and proposes to do business;
      - iii.The ambulance service's agency number issued by the Department;
      - iv.The training and experience of the applicant in ambulance transportation and medical care of patients;
      - v.A description of each ambulance, including the make, model, year of manufacture, vehicle identification number, the length of time the ambulance has been in use, color scheme, insignia, name monogram, or other distinguishing characteristics to be used to designate and identify the applicant's ambulance(s);
      - vi.A photograph of each ambulance;
      - vii.Proof of general liability, automotive, and malpractice insurance as outlined in Section VI of this Ordinance;
      - viii.Proof of workers compensation coverage of all employee and personnel of ambulance service agency;

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- ix. The location and description of the place or places from which each ambulance is intended to be operated; and
  - x. Such other information as the Board shall deem reasonably necessary to a fair determination of compliance with this Ordinance.
  - b. Any such application for ambulance service licensure shall be presented at regular meeting of the District Board of Directors.
  - c. A non-refundable license application fee established by the Board shall accompany each ambulance service application.
3. Issuance:
- a. The EMS Chief shall, within a reasonable time after receipt of an application as provided for herein, cause an investigation to be made of the applicant for an ambulance service license, and of the applicant's proposed operations. The EMS Chief shall schedule a public convenience and necessity hearing as required by the ordinance to conduct such hearings enacted by District.
  - b. Prior to the issuance of any ambulance service license, the EMS Chief shall cause to be inspected the vehicles, equipment, and premises designated in the application, to determine compliance with the standards prescribed in the Ordinance, and with the regulations pertaining to each Section; provided, however, that under the terms of this Ordinance the EMS Chief shall have no responsibility, and shall exercise no authority, in connection with laws and ordinances of general applicability which deal with motor vehicle inspection.
  - c. The EMS Chief shall issue a District ambulance service license, valid for a period of one year unless earlier suspended, revoked, or terminated, when such issuance is certified by the Board after the Board finds:
    - i. that the proposed ambulance service will benefit the public health and welfare;
    - ii. that each ambulance, its required equipment and the premises designated in the application conform to regulations promulgated by the Board as provided in this Ordinance;
    - iii. that the applicant is a responsible person or agency who bears a good reputation for honesty, integrity, fair dealing, and is competent to operate an ambulance service;
    - iv. that the applicant's ambulances will be operated only by duly Missouri licensed EMT-P's and EMT's; and
    - v. that all the requirements of this Ordinance and all other applicable laws and ordinances have been met.
4. Vehicle Permits:
- a. No ambulance shall be authorized to operate within the District's service area without a District issued vehicle permit, except as outlined in Section II C of this Ordinance.
  - b. Only upon the issuance of an ambulance service license may the EMS Chief issue a vehicle permit for each ambulance specified in the application, and then only after the EMS Chief has determined that each vehicle meets all the requirements set forth in this Ordinance and other applicable regulations promulgated by the Board. Such permit shall be valid for a period of time to coincide with the expiration date of the provider's ambulance service license.
  - c. Only ambulances meeting at least minimum state requirements for basic life support or are capable of rendering full ALS services may receive a vehicle permit.
  - d. The vehicle permit shall be prominently displayed in each vehicle at all times while operating under the provisions of this Ordinance.

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5. EMT and Paramedic Personnel:

- a. No individual shall provide services as an EMT or paramedic in the role of ambulance attendant within the District's service area or drive or attend any ambulance upon the streets, alleys, waterways, or any public way or place of the District's service area unless such individual is employed by a Ambulance Service holding a currently valid license issued by the District and the Department, except as outlined in Section II C of this Ordinance.
- b. Any individual employed by a Ambulance Service holding a currently valid license issued by the District and the Department who will be providing services as an EMT or paramedic must hold and maintain a current license as an EMT or EMT-P attendant/driver by the Department and must meet the following requirements:
  - i. must hold a valid and current healthcare provider or professional rescuer CPR certification or course completion card;
  - ii. must hold a valid and current Missouri Class E driver's license.
  - iii. has an acceptable driving record;
  - iv. has successfully passed a drug screening examination;
  - v. is able to speak, read, and write the English language;
  - vi. is competent to use, apply, and direct the use and application of all medical equipment required to be carried upon all ambulances operating pursuant to this Ordinance;
  - vii. has not been convicted of a felony or a misdemeanor involving an act of moral turpitude and applicant has no outstanding arrests and/or warrants.

B. Term/Transferability:

1. Licenses and permits issued pursuant to this Ordinance shall not be assignable or transferable. No official entry made upon any license or permit may be defaced, removed, or obliterated.
2. It shall be the responsibility of the license holder to apply for a new license no later than thirty (30) days prior to expiration of the current license.
3. Any change of ownership of a licensed ambulance service shall terminate the ambulance service license and each vehicle permit and shall require a new application and a new license and conformance with all the requirements of this Ordinance as upon original licensing.
4. Application for transfer of any ambulance vehicle permit to another or substitute vehicle shall require conformance with all the requirements of this Ordinance as upon original licensing. No District issued ambulance vehicle permit may be sold, assigned, or otherwise transferred without the approval of the Board and a finding of conformance with all the requirements of this Ordinance as upon original licensing.

C. Renewal:

1. Renewal of any license hereunder, upon expiration for any reason or after revocation, shall require conformance with all of the requirements of this Ordinance as upon original licensing.

D. Revocation:

1. The EMS Chief may, and is authorized to, suspend, revoke, or terminate a license or permit issued hereunder for failure of a licensee to comply and to maintain compliance with, or for licensee's violation of, any applicable provisions, standards, or requirements of this Ordinance, or of regulations promulgated hereunder or of any other applicable laws or ordinances or regulations promulgated hereunder, but only after warning and such reasonable time for compliance as may be set by the EMS Chief.

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2. Within thirty (30) days after a suspension, revocation, or termination, the licensee may request, and shall be afforded, a hearing before the Board, after reasonable notice. The Board shall, within fifteen days after conclusion of such hearing, issue a written decision (which shall include written findings) as to the suspension of the license. The written decision shall be promptly transmitted to the licensee to whom it refers.
3. Upon suspension, revocation, or termination of an ambulance service license hereunder, the ambulance service shall cease operation within the District's service area and no person shall permit the ambulance service, any of its vehicles, or personnel to continue operations within the District's service area.

**E. Appeal:**

1. Any person aggrieved by any action of the EMS Chief pursuant to Section III of this Ordinance, may appeal such action within seven (7) days of such decision by filing a written appeal to the Board. At the next regularly scheduled Board meeting the Board shall hear the appeal and thereafter render its decision affirming, modifying, or reversing the action of the EMS Chief, and to such end shall possess all the powers on appeal granted the EMS Chief in this Ordinance. The decision shall be subject to the procedures and review provided by the Administrative Review Act of the State.

**F. Sanctions for Non-Compliance:**

1. Any individual who owns, operates, or manages an ambulance service not holding a valid license issued by the District as required by this ordinance, shall be guilty of an infraction for each incident that the individual unlawfully renders such services. The District may refer these violations to the County Prosecutor for appropriate prosecution. In addition to or in lieu of these criminal sanctions, in order to further assure compliance with this Ordinance and its licensing requirements, the District also reserves the right to seek any and all equitable relief, including mandatory or prohibitory injunctions.
2. Any individual who provides ambulance response or ambulance transport services as an EMT, paramedic, medical attendant, or ambulance drivers for an ambulance service that does not hold a valid license issued by the District as required by this ordinance, shall be guilty of an infraction for each incident that the individual unlawfully renders such services. The District may refer these violations to the County Prosecutor for appropriate prosecution. In addition to or in lieu of these criminal sanctions, in order to further assure compliance with this Ordinance and its licensing requirements, the District also reserves the right to seek any and all equitable relief, including mandatory or prohibitory injunctions.

**Section IV. Vehicle Requirements:**

**A. Each ambulance shall, at all times when in use as such:**

1. Conform with the standards, requirements, and regulations provided for in this Ordinance and all other applicable laws and local ordinances relating to health, sanitation, and safety;
2. Be equipped with such lights, sirens, and special markings to designate it as such as may be prescribed in reasonable regulations promulgated by the Board; and
3. Meet the accepted requirements for equipment, medications, and supplies, as determined by the EMS Chief and the Medical Director, and approved by the Board.

**B. Subsequent to the issuance of an ambulance vehicle permit, the EMS Chief shall cause an inspection to be made of each vehicle and its equipment whenever such inspection is deemed necessary, but in any event, no less frequently than once a year.**

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1. The periodic inspection required hereunder shall be in addition to any other safety or motor vehicle inspection required to be made for ambulances, or other inspections required to be made under general law or ordinances, and shall not excuse compliance with any requirement of law or ordinance to display any official certificate of motor vehicle inspection and approval nor excuse compliance with the requirements of any other applicable general law or ordinance.
- C. Each ambulance, its equipment, and the premises designated in the application and all records relating to its maintenance and operation as such, shall be open to inspection by the EMS Chief or designee during usual hours of operation.
- D. The initial, annual, or other ambulance vehicle, equipment, or premises inspection reports of the EMS Chief provided for in this Ordinance shall be prima facie evidence of compliance or noncompliance with, or violation of, the provisions, standards, and requirements provided in this Ordinance, and of the regulations promulgated pursuant to this Ordinance.

**Section V. Patient Care Standards:**

- A. An ambulance service licensed under the provisions of this Ordinance shall operate under the authority of the District Medical Director when providing ambulance services pursuant to this Ordinance.
- B. The EMS Chief, in cooperation with the District Medical Director, shall promulgate standards related directly or indirectly to clinical performance and the delivery of ALS by ambulance personnel, which may include, but not limited to:
  1. Field treatment protocols;
  2. Communication protocols;
  3. Communication equipment requirements;
  4. Medical equipment requirements;
  5. Quality assurance requirements; and
  6. Continuing education and training standards
- C. For all emergency calls, patients shall be transported to the most appropriate hospital pursuant to District Protocol.
- D. The owner, administrator, manager, or other authorized representative of each licensed ambulance service or agency shall be required to meet with the District Medical Director or their designee, at their request, to review the ambulance service's compliance with the patient care standards and other provisions provided for in this Ordinance.

**Section VI. Insurance Requirements:**

- A. No ambulance service license shall be issued under this Ordinance, nor shall the license be valid after issuance, nor shall any ambulance vehicle be operated in the District unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the State of Missouri, for each and every vehicle operated by or for the applicant or licensee, providing for the payment of damages, in such amounts and for such coverage as required by Department rules and regulations and the Missouri Motor Vehicle Safety Responsibility Law, Chapter 303, RSMo 1959, as amended and as amended hereafter.
- B. The insurance policies, naming the District as an additional insured, shall be submitted to the EMS Chief with the license application for approval prior to the issuance of each license. Satisfactory evidence that the insurance is at all times in force and effect shall be furnished to the EMS Chief, in such form as the EMS Chief may specify, by all licensees required to prove such insurance under the provisions of this Ordinance.

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- C. Every insurance policy required hereunder shall contain a provision for a continuing liability there under to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the assured, and that until the policy is revoked the insurance company will not be relieved from liability on account of nonpayment of premium, failure to renew license at the end of the year, or any act or omission of the named assured.
- D. Every insurance policy required hereunder shall extend for the period to be covered by the license applied for and the insurer shall be obliged to give written notice to the District and to the assured before any cancellation or termination thereof earlier than its expiration date and the cancellation or the termination of any policy shall automatically revoke and terminate the licenses issued for the ambulance service, its vehicles, and personnel covered by the policy, unless another insurance policy complying with the provisions of this section shall be provided and be in effect at the time of the cancellation or termination.

**Section VII. Records and Reporting Requirements:**

- A. Each licensee of an ambulance service shall maintain accurate records upon forms as prescribed by, and containing information as may be required by, the EMS Chief concerning the transportation of each patient within the District or from one place within the District to another place beyond its limits. The records shall be available for inspection by the EMS Chief or designee at any reasonable time.
- B. A copy of each initial, annual, or other ambulance vehicle, equipment, or premises inspection report by the EMS Chief under the provisions of this section shall be promptly transmitted to the applicant or licensee to whom it refers.
- C. Each licensed ambulance service that provides ambulance services within the District's service area shall complete a Patient Care Record (PCR) on each run and/or patient and provide a copy or electronic access to the record to the District in a manner prescribed by the EMS Chief so the District can monitor the quality of care and compliance with medical treatment protocols, triage/transport protocols, and all other provisions provided for in this Ordinance.
- D. The District reserves the right to require each District licensed ambulance service that provides ambulance service within the District's service area to maintain and distribute all records and reports electronically.

**Section VIII. Violations and Penalties:**

- A. It shall be unlawful, within the jurisdiction of the District:
  - 1. for any individual to perform duties as a EMT or EMT-P for an ambulance service without a current license issued by the District, unless exempted by the provisions of Section II C;
  - 2. for any ambulance service to permit a person to work as a EMT or EMT-P without a current license issued by the District, unless exempted by the provisions of Section II C;
  - 3. for any ambulance service to use or cause to be used any ambulance without a current vehicle permit issued by the District, unless exempted by the provisions of Section II C;
  - 4. for any ambulance service to provide ambulance services, either emergency or non-emergency, unless authorized by this Ordinance or exempted by the provisions of Section II C; or
  - 5. for any individual, agency, or ambulance service to knowingly give false information to induce or prevent the dispatch of an ambulance.



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**B. Penalties:**

1. Any person convicted of violating the provisions of this Ordinance shall be fined an amount not exceeding one thousand dollars (\$1,000) or imprisonment for a period not exceeding thirty (30) days or by both such fine and imprisonment, for each offense.
2. Pursuant to Chapter 190 s 190.180, RSMo, the Attorney General of Missouri shall have concurrent jurisdiction with the prosecuting attorney of the District to prosecute persons in violation of Chapter 190, RSMo, or this Ordinance, and the Attorney General or prosecuting attorney may institute injunctive proceedings against any person operating an ambulance service in violation of Chapter 190, RSMo or this Ordinance.
3. This remedy does not serve to limit any other remedies available to the District in law or equity.

**Section IX. Effective Date:**

This Ordinance replaces and supersedes Ordinance #2 adopted July 9, 2009.

This Ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the Board of Directors.

**Section X. Severability Clause:**

If any portion of this Ordinance shall be deemed invalid by a court of law with competent jurisdiction, the remaining portions of this Ordinance not so declared as invalid shall remain in full force and effect.

AMBULANCE DISTRICT ORDINANCE # 14-02 ESTABLISHING REQUIREMENTS AND STANDARDS FOR AMBULANCE SERVICE WITHIN THE AREA SERVED BY THE DISTRICT ADOPTED ON THIS 17<sup>TH</sup> DAY OF APRIL IN THE YEAR OF 2014.

/s/ Ray Patrick  
Signature of Board President

Ray Patrick  
Printed Name of Board President

ATTEST:

/s/ Mary Kidd  
Signature of Board Secretary

Mary Kidd  
Printed Name of Board Secretary