

**AMBULANCE DISTRICT ORDINANCE # 14-04  
REQUIREMENTS AND STANDARDS FOR STRETCHER VAN 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 STRETCHER VAN 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 § 190.060.3 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;

WHEREAS, RSMo § 190.528.1 prohibits any person from engaging in or professing to be engaged in “the business or service of the transportation of passengers by stretcher van...unless such person holds a currently valid license from the Department”.

WHEREAS, RSMo § 190.528.2 provides the District with the Power “to adopt any law, ordinance or regulation governing the operation of stretcher vans that is at least as strict as the minimum state standards...” and shall not “implement unreasonable regulations or ordinances to prevent the establishment and operation of such services”.

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

**Section I. Definitions:**

- A. Board: the Board of Directors of the Johnson County Ambulance District;
- B. 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;
- C. County: Johnson County, Missouri, the county in which the District is empowered to operate;
- D. Department: the Department of Health, State of Missouri;
- E. District: Johnson County Ambulance District, a political subdivision; the service area in which the District is empowered to operate;
- F. 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;
- G. 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;
- H. Hospital: a medical facility which is subject to the provisions of Chapter 197, RSMo or a hospital operated by the State;

**AMBULANCE DISTRICT ORDINANCE # 14-04**  
**REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

- I. Passenger: an individual needing transportation in a supine position who does not require medical monitoring, observation, aid, care or treatment during transportation, with the exception of self-administered oxygen as ordered by a physician during transportation;
- J. Patient: an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, and who may require medical monitoring, medical observation, aid, care or treatment during transportation, with the exception of self-administered oxygen as ordered by a physician;
- K. 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;
- L. Stretcher van: any vehicle other than an ambulance designed and equipped to transport passengers in a supine position. No such vehicle shall be used to provide medical services.
- M. Stretcher van service: any person or agency that provides stretcher van transportation to passengers who are confined to stretchers and whose conditions are such that they do not need and are not likely to need medical attention during transportation.

**Section II. Jurisdiction:**

- A. No person, either as owner, agent, or otherwise, and no company, corporation, agency, department, or organization shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of passengers by stretcher van upon the streets, alleys, waterways, or any public way or place within Johnson County, Missouri (County), 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 (District) pursuant to the provisions of this Ordinance.
- B. No individual shall provide stretcher van services as a stretcher van driver or stretcher van attendant within the County's streets, alleys, waterways, or any public way or place of County unless such individual is employed by a Stretcher Van Service holding a currently valid license issued by the District and the Department.
- C. Exceptions: District licensure provisions procedures contained herein shall not apply to:
  - 1. stretcher van services operated under the management, authority, and approved policies of the District's Board;
  - 2. stretcher van services operated by an agency of the United States government, or their personnel;
  - 3. stretcher van services 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;
  - 4. stretcher van services which are engaged in the process of transporting a passenger from outside Johnson County, Missouri to a location within the County; for this exception to be applicable to the passenger's return trip, if at all, the stretcher van that transports the passenger to the destination within the Johnson County, Missouri must wait for the passenger at the destination;
  - 5. stretcher van services which are operating subject to the provisions of a contract for services between the stretcher van service and the District, which has been signed by both parties and ratified by the Board;

**AMBULANCE DISTRICT ORDINANCE # 14-04**  
**REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

**Section III. License Requirements:**

**A. Stretcher Van Service:**

1. No stretcher van service shall be authorized to operate within Johnson County, MO 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 stretcher van 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 stretcher van 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 stretcher van service's agency number issued by the Department;
    - iv. The training and experience of the applicant in stretcher van passenger transportation;
    - v. A description of each stretcher van vehicle, including the make, model, year of manufacture, vehicle identification number, the length of time the stretcher van has been in use, color scheme, insignia, name monogram, or other distinguishing characteristics to be used to designate and identify the applicant's stretcher van (s);
    - vi. A photograph of each stretcher van ;
    - vii. Proof of general liability and automotive insurance as outlined in Section VI of this Ordinance;
    - viii. Proof of workers compensation coverage of all employee and personnel of stretcher van service agency;
    - ix. The location and description of the place or places from which each stretcher van service 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 stretcher van 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 stretcher van 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 stretcher van service license, and of the applicant's proposed operations.
  - b. Prior to the issuance of any stretcher van 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 stretcher van 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:

**AMBULANCE DISTRICT ORDINANCE # 14-04**  
**REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

- i.that the proposed stretcher van service will benefit the public health and welfare;
  - ii.that each stretcher van, 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 stretcher van service;
  - iv.that all the requirements of this Ordinance and all other applicable laws and ordinances have been met.
4. Vehicle Permits:
- a. No stretcher van shall be authorized to operate within County without a District issued vehicle permit, except as outlined in Section II C of this Ordinance.
  - b. Only upon the issuance of a stretcher van service license may the EMS Chief issue a vehicle permit for each stretcher van vehicle 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 stretcher van service license.
  - c. Only stretcher vans meeting at least minimum state requirements for stretcher van 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.
5. Subsequent to the issuance of a stretcher 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. The periodic inspection required hereunder shall be in addition to any other safety or motor vehicle inspection required to be made for stretcher van, 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.
6. The initial, annual, or other stretcher van 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.
- 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 stretcher van vehicle permit to another or substitute vehicle shall require conformance with all the requirements of this Ordinance as upon original licensing. No District issued stretcher van vehicle permit may be sold,

**AMBULANCE DISTRICT ORDINANCE # 14-04**  
**REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

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.
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 County and no person shall permit the ambulance service, any of its vehicles, or personnel to continue operations within the County.

**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. 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 a stretcher van 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 stretcher van services or stretcher van transport for a stretcher van 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.

**AMBULANCE DISTRICT ORDINANCE # 14-04**  
**REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

**Section IV. Vehicle Requirements:**

- A. Each stretcher van vehicle shall:
  - 1. Conform with the standards, requirements, and regulations provided for in this Ordinance and all other applicable laws, regulations, and licensure requirements;
  - 2. Have no emergency warning lights on the vehicle;
  - 3. Shall not have “ambulance” lettering, “emergency” lettering, or “Star of Life” displayed on vehicle;
  - 4. Have all equipment, including the passengers own oxygen delivery system, stored and secured in a readily accessible, safe, and protected manner that prevents its movement during driving and in the event of a crash;
- B. To facilitate cleaning and disinfecting, the stretcher compartment shall be impervious to soap and water, disinfectants, mildew, fire resistant and be easily cleaned and disinfected. Carpeting, cloth, and fabrics are not acceptable.
- C. All exposed surfaces shall be free of vent devices that would permit the entrapment of biological contaminants.
- D. Each stretcher van vehicle shall maintain a current motor vehicle safety inspection from a certified inspector mechanic.
- E. The stretcher van service shall establish a preventive maintenance program for all stretcher van vehicles, and each vehicle shall receive a periodic maintenance as recommended by the qualified vehicle manufacturer.

**Section V. Stretcher Van Equipment Standards**

- A. The stretcher van shall be equipped with a stretcher designed for passenger transport from a qualified stretcher manufacturer. The stretcher and mounting system must have been installed and must be operated according to the manufacturer’s specifications and guidelines.
  - 1. The stretcher van service shall establish a preventive maintenance program for all stretcher van vehicles, and each vehicle shall receive a periodic maintenance as recommended by the qualified vehicle manufacturer.
- B. Each stretcher van vehicle shall be equipped with a reliable communications device capable to immediate voice communication with the County 911 dispatch.
  - 1. The stretcher van service shall establish a policy for notification for 911 in an emergency.
- C. Each stretcher van vehicle shall be equipped with an automated external defibrillator (AED).
  - 1. The stretcher van service shall ensure the AED is maintained and tested according to the manufacturer’s specifications and guidelines.
- D. Each stretcher van vehicle shall be equipped with body substance isolation (BSI) supplies.

**Section VI. Stretcher Van Staffing Standards:**

- A. Any person driving, operating, or staffing a stretcher van must meet the following requirements:
  - 1. has an acceptable driving record;
  - 2. have successfully passed a drug screening examination;
  - 3. is able to speak, read, and write the English language;
  - 4. 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;
  - 5. hold a valid and current healthcare provider or professional rescuer CPR certification or course completion card.

**AMBULANCE DISTRICT ORDINANCE # 14-04  
REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

6. have completed the training requirements satisfying the U.S. Department of Labor, OSHA Bloodborne Pathogens Standard (29 CFR 1920.1030).
- B. Each stretcher van shall be staffed with a minimum of two (2) persons, one of which must be a licensed EMT or EMT-P, when transporting a passenger(s).
- C. Any person driving or operating the stretcher van must possess a valid Class E Missouri driver's license.
- D. The stretcher van service shall ensure that all vehicle drivers complete a driver's safety education program or vehicle operations course.

**Section VII. Stretcher Van Passenger and Service Standards:**

- A. Passengers may be transport in a stretcher van provided that passenger(s):
  1. needs no medical equipment (except self-administered medications, including oxygen); and
  2. needs no medical monitoring; and
  3. needs routine transportation to or from a medical appointment or service if that passenger(s) is convalescent or otherwise non-ambulatory and does not require monitoring, aid, care, or treatment during transport.
- B. Stretcher van services shall not transport patients currently admitted to a hospital or patients being transferred to a hospital for admission or emergency treatment.
- C. A stretcher van shall not transport a patient or passenger whom:
  1. is acutely ill, wounded, or medically unstable;
  2. is experiencing an emergency medical condition, an acute medical condition, an exacerbation of a chronic medical condition, or a sudden illness or injury;
  3. is seeking emergency or acute care from an emergency department; or
  4. was administered a medication that has the potential to prevent a person from caring for him/herself.

In such cases, the crew of the stretcher van shall immediately contact the appropriate ground ambulance service or call 911 for emergency medical assistance.
- D. The crew of the stretcher van is required to immediately contact the appropriate ground ambulance service or call 911 if a passenger's condition deteriorates.

**Section VIII. Insurance Requirements:**

- A. No stretcher van service license shall be issued under this Ordinance, nor shall the license be valid after issuance, nor shall any stretcher van vehicle be operated in the County 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.
- C. 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.
- D. 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

**AMBULANCE DISTRICT ORDINANCE # 14-04**  
**REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

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.

- E. 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 IX. Records and Reporting Requirements:**

- A. Each licensee of a stretcher van 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 passenger within the County or from one place within the County to another place beyond its limits. The records shall be available for inspection by the EMS Chief or designee at any reasonable time. Copies thereof shall be filed by the licensee within twenty-four (24) hours on request by the EMS Chief.
- B. A copy of each initial, annual, or other stretcher van 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.

**Section X. Violations and Penalties:**

- A. It shall be unlawful, within the jurisdiction of the County:
  - 1. for any individual to perform stretcher van service duties for a stretcher van service that does not hold a current license issued by the District, unless exempted by the provisions of Section II C;
  - 2. for a stretcher van service to permit a person to perform stretcher van service without a current license issued by the District, unless exempted by the provisions of Section II C;
  - 3. for a stretcher van service to use or cause to be used any vehicle for stretcher van service without a current vehicle permit issued by the District, unless exempted by the provisions of Section II C;
  - 4. for a stretcher van service to transport patients currently admitted to a hospital or patients being transferred to a hospital for admission or emergency treatment;
  - 5. for any a stretcher van service to provide stretcher van transport of passengers in need of medical equipment (except self-administered medications, including oxygen), medical monitoring, aid, care, or treatment during transport.
- 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 stretcher van service in violation of Chapter 190, RSMo or this Ordinance.



**AMBULANCE DISTRICT ORDINANCE # 14-04  
REQUIREMENTS AND STANDARDS FOR STRETCHER VAN SERVICE**

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 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 # 14-04 ESTABLISHING REQUIREMENTS AND STANDARDS FOR STRETCHER VAN 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