

SCOTT COUNTY ORDINANCE No. 13-05

AN ORDINANCE TO AMEND CHAPTER 28, OF THE SCOTT COUNTY CODE RELATIVE TO AMBULANCE SERVICE.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY, IOWA:

SECTION 1.

The following is a summary of the substantive changes:

CHAPTER 28  
EMERGENCY MEDICAL SERVICES

SECTIONS:

- 28-1. SCOPE AND PURPOSE
- 28-2. DEFINITIONS
- 28-3. LICENSES REQUIRED AND EXCEPTIONS
- 28-4. EMERGENCY MEDICAL SERVICE: APPLICATION, LICENSING, AND INSURANCE
- 28.5. CONFORMANCE TO EMERGENCY MEDICAL SERVICE PLAN
- 28-6. DISPATCH AND EXCLUSIVE SERVICE AREAS
- 28-7. STANDARDS FOR VEHICLE DESIGN
- 28-8. STANDARDS FOR PATIENT CARE EQUIPMENT AND SUPPLIES
- 28-9. MUTUAL AID
- 28-10. OBEDIENCE TO TRAFFIC LAWS, ORDINANCES AND REGULATIONS
- 28-11. NOTICE
- 28-12. SUSPENSION, REVOCATION OF LICENSE
- 28-13. HEARINGS
- 28-14. JURISDICTION
- 28-15. ENFORCEMENT
- 28-16. MUNICIPAL INFRACTION
- 28-17. SEPARABILITY
- 28-18. APPLICABILITY

APPENDIX A: APPLICATION FOR LICENSING OF AMBULANCE SERVICE

APPENDIX B: EXCLUSIVE SERVICE AREA DESIGNATIONS

SEC. 28-1. SCOPE AND PURPOSE

A Chapter governing the operation of and promoting emergency medical services; providing standards for issuance, renewal and revocation of licenses; and establishing penalties for violation of its provisions.

SEC. 28-2. DEFINITIONS

Unless otherwise specified, the following terms shall mean:

- A. "Ambulance": Any privately or publicly owned motor vehicle or aircraft that is designed, constructed, equipped, maintained, operated, or intended to be used for the transportation of patients.
- B. "Driver": An individual qualified under the laws of the State of Iowa to operate a motor vehicle who is not expressly trained as an EMT.
- C. "Emergency Medical Service": Any privately or publicly owned business or service that provides out-of-hospital acute medical care, transport to medical care, and other medical transport to patients with illnesses, injuries, disabilities, infirmities, or other medical conditions.
- D. "EMT": An individual who has been trained to provide emergency and nonemergency medical care and who has been issued a certificate by the Iowa Department of Public Health pursuant to the requirements in Iowa Administrative Code 641.131.
- E. "Event": A prehospital occurrence requiring EMS assistance.
- F. "Exclusive Service Area": A geographic area assigned to an Emergency Medical Service provider in which the assigned provider performs all calls for service.
- G. "Health Officer": The Scott County Health Director, or a person designated by the Scott County Health Director.
- H. "Owner ": The person responsible for the management and operation of an emergency medical service, whether or not such person is the owner of record.
- I. "Patient": A person requiring emergent medical evaluation, treatment or transport for a medical condition.
- J. "Person": Any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose or organization of any kind, including any governmental entity other than the United States.
- K. "SECC": The Scott Emergency Communication Center, its assigns, or its authorized dispatch agencies.

**SEC. 28-3. LICENSES REQUIRED AND EXCEPTIONS**

- A. Licenses Required: No person either as owner, agent or otherwise shall furnish, operate, conduct, maintain, advertise, otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients upon the highways, streets, alleys, public ways or places within Scott County, unless such person holds a currently valid Emergency Medical Service license issued pursuant to this Chapter.
  
- B. Expiration: Licenses shall be valid for a period of one year from date of issuance, unless earlier suspended, revoked or terminated.
  
- C. Exceptions: No licenses shall be required by this Chapter when ambulances are:
  - 1. Owned and operated by an agency of the United States Government; or an agency of a state; or
  - 2. Rendering requested assistance to licensed services in the case of a major catastrophe or emergency with which the licensed services of the county are insufficient or unable to cope; or

3. Licensed by another county or another city or ambulance district lying outside of Scott County and operated in accordance with the provisions of a Community Mutual Aid Agreement as authorized under Section 12 of this Chapter.
4. Operated from a location or headquarters outside the county and transporting patients who are picked up outside the limits of the county to locations within the county, or through the county to other locations. Ambulances picking up patients within the limits of the county are not exempt from this Chapter, regardless of the destination of the patient, or the location of the headquarters of the ambulance service unless qualified for exemption under this subsection.

**SEC. 28-4. EMERGENCY MEDICAL SERVICE LICENSING: APPLICATION, ISSUANCE, RENEWAL, FINANCIAL, AND INSURANCE**

A: Application: Application for an emergency medical service license authorizing the licensee to provide emergency medical services within Scott County shall be made on such forms as may be described, prepared, or prescribed by the Health Officer.

1. Each prospective licensee and each present licensee wishing to provide a new type of emergency medical service, to establish a new base of operation, or to expand a designated service area, shall make a written application for a license to the Health Officer. Applicants shall complete the required forms, and submit same to the Health Officer not less than sixty (60) days prior to the requested effective date of the license.
2. Proof of Insurance coverage as specified under 28.5(D) below shall be submitted with the application forms.
3. Evidence of financial responsibility as required by 28.5(D) below shall be submitted with the application forms.
4. The application shall address the following subjects:
  - a. Response Time.
  - b. Ambulance Design.
  - c. Equipment Provided on Ambulances.
  - d. Duplication of Service, if any.
  - e. Estimated increased benefit to the public health and safety.
  - f. Communications capability.
  - g. Capability to provide rescue service
  - h. Such other relevant information as the Health Officer shall deem necessary to determine compliance with this Chapter.

B: Licenses:

1. Shall not be transferable.
2. Shall be issued only when it is determined that:
  - a. Public health and safety requires addition of the proposed emergency medical service.
  - b. Currently licensed services' emergency response capability will remain viable with the addition of the emergency medical service.

- c. Each emergency medical service, its vehicles, equipment and premises designated in the application have been certified as provided for herein.
- d. The applicant is a responsible and proper person to conduct or work in such a service.
- e. Only duly certified and licensed employees are utilized.
- f. All requirements of this Chapter, and all other applicable laws and ordinances, have been met.

C. License Renewal: The procedure and criteria for the renewal application of a license shall be the same as the initial application for a license as stated in 28.5(A), except that requirement (3) applies only to evidence of financial responsibility due or not timely submitted according to the schedule in Section 28.5(D)(4) at the time of application.

D. Insurance and Financial Requirements:

Each emergency medical service shall:

1. Carry adequate comprehensive liability insurance covering Scott County, Iowa, as named insured. It shall also carry workers' compensation insurance as required by the laws of the State of Iowa.
2. Submit Certification of Insurance issued by the carrier to the Health Officer.
3. Confirm that every insurance policy required hereunder extends for the period to be covered by the license. The insurer shall be obligated to give not less than thirty (30) days written notice to the Health Officer and to the insured before any cancellation or termination thereof earlier than its expiration date. The cancellation or other termination of any such policy shall automatically revoke and terminate the license, unless another insurance policy complying with the provisions of this section shall be provided and be in effect at the time of such cancellation or termination.
4. Furnish to the Health Officer financial statements at the level of assurance indicated by licensure documents: compilation, review, or audit. Requirements for financial statements shall be based on, but not be limited to, the following criteria:
  - Financial model (non-profit or for-profit)
  - Staffing model (volunteer or paid staff)
  - Projected number of calls per year
  - Total yearly budget

Quarterly financial statements shall be submitted within sixty (60) days from the end of the previous quarter. An annual financial statement of the previous year's operation shall be submitted within one hundred twenty (120) days from the end of the previous year.

Financial statements shall be reviewed to determine whether financial conditions exist which would affect a licensed provider's ability to continue to effectively provide emergency medical services. If additional information is

necessary to make a determination, providers shall submit the required information within thirty (30) days.

F. Hold Harmless:

The emergency medical service licensee shall hold harmless from and indemnify Scott County, Iowa and/or members of the Scott County Board of Supervisors, the Scott County Board of Health, and their employees against all claims, suits, actions, costs, defense fees, expenses, damages, judgments or decrees, incurred by reason of any person or persons or property being damaged or injured by the licensee or any agent or employee of a licensee, whether by negligence or otherwise.

SEC. 28-5 CONFORMANCE TO EMERGENCY MEDICAL SERVICE PLAN:

- A. Communication: Every emergency medical service shall have direct communication with SECC by means of equipment in all emergency services vehicles, and mobile equipment for all on-duty or on-call staff for timely response to calls for service. This requirement shall become effective on July 1, 2014.
- B. System Standards: (Reserved)
- C. Education: (Reserved)
- D. Data collection and use: (Reserved)
- E. Quality Improvement: (Reserved)

SEC. 28-6. DISPATCH AND EXCLUSIVE SERVICE AREAS

SECC shall be responsible for dispatch of ambulances and crews for emergency events, according to the system that is in force at the time of request for services. Such system may employ, but not be limited to, Medical Priority Dispatch System™ methodology, global positioning system information, computer aided dispatch methodology, fractile response time analysis, and demand/geographic analysis.

The ability to provide non-emergency and inter-facility transport services within an Exclusive Service Area significantly offsets the costs associated with providing emergency medical service to the citizens of Scott County and is an important component of the financial solvency, clinical and operational performance, and stability of the emergency medical system.

All emergency, non-emergency, and inter-facility transports shall be provided by the emergency medical service assigned to the area in which the transport originates.

The geographical areas within Scott County described in **Appendix B** shall comprise Exclusive Service Areas assigned to individual emergency medical services serving Scott County.

In assignment of Exclusive Service areas, the following factors shall be considered:

- A. size of population to be served,

- B. effect of a proposed service's assignment on currently licensed emergency medical service providers,
- C. geographic locations of the proposed service,
- D. proposed service's record of response time,
- E. proposed service's record of activation time,
- F. proposed service's level of licensure or certification, and
- G. other factors relevant to providing efficient and effective emergency medical services to the population as determined by the Health Officer.

Notwithstanding the defined Exclusive Service Areas, dispatch by the Scott Emergency Communications Center according to the system in force at the time of request for services shall constitute for any call shall constitute compliance with this section.

Any dispatch method employed by SECC or its assigns shall use patient benefit as the primary factor in determining response criteria.

#### SEC. 28-7. STANDARDS FOR EMERGENCY MEDICAL VEHICLE DESIGN

Each emergency medical vehicle shall, at all times when in use as such, comply with standards contained in Federal Specification - Ambulance KKK-A-1822F published August 1, 2007, and any subsequent revisions thereto.

#### SEC 28-8. STANDARDS FOR PATIENT CARE EQUIPMENT AND SUPPLIES

Each emergency medical service vehicle shall, at all times when in use as such comply with patient care equipment and supplies standards as contained in Essential Equipment For Ambulances by the Committee On Trauma, American College of Surgeons published April 2009, and any subsequent revisions thereto.

#### SEC. 28-9. MUTUAL AID

Each emergency medical service licensed under this Chapter shall provide standby and/or back-up service, upon request, to other emergency medical services licensed under this Chapter.

The Scott County Board of Health is hereby empowered to execute and enter into a Community Mutual Aid Agreement with another county or another city or emergency medical district lying outside of Scott County that is operated in accordance with the provisions of this Chapter.

Pursuant to the provisions of this Agreement, any emergency medical service may pick up, transport, and/or deliver patients, from or to any point within any county, municipality, or emergency medical district which is party to this Agreement.

All such emergency medical services shall meet or exceed the operation, equipment and training requirements as set forth in this Chapter.

#### SEC 28-10. OBEDIENCE TO TRAFFIC LAWS, ORDINANCES AND REGULATIONS

The driver of an ambulance, when responding to an emergency event or while transporting a patient shall comply with all applicable Federal, State, County or City laws, rules, regulations and ordinances governing the operation of emergency vehicles.

#### SEC. 28-11. NOTICE

A. Whenever the Health Officer determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter or any Chapter adopted pursuant thereto, he/she shall give notice of such alleged violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:

1. Be in writing.
2. Include a statement of the reasons why it is being issued.
3. Allow a reasonable time for the performance of any act it requires.

B. Such notice may contain an outline of remedial action which, if taken will effect compliance with the provisions of this regulation and with regulations adopted pursuant thereto.

#### SEC. 28-12. SUSPENSION, REVOCATION OF LICENSE

A. The Health Officer may, and is hereby authorized to, suspend or revoke a license issued hereunder for failure of a licensee to comply, to maintain compliance with, or for violation of, any applicable provisions, standards or requirements of this Chapter or of any other applicable laws, rules, ordinances or regulations promulgated thereunder, but only after written notice of alleged non-compliance or violation, and such reasonable time for compliance as may be set by the Health Officer.

B. Upon suspension, revocation or termination of an emergency medical service license hereunder, such emergency medical service shall cease operations as such and no person shall permit such emergency medical service to continue operations as such.

#### SEC. 28-13. HEARINGS

In the event any person is aggrieved by any order made by the Health Officer, he/she may within twenty (20) days of the date of such order, appeal to the Board of Health and in writing, state his/her reasons for requesting such order to be rescinded or modified. The Board of Health shall review the actions of the Health Officer, and if reasonable grounds exist, shall modify, withdraw or order compliance with said order. Appeal from any order of the Board of Health may be taken within twenty (20) days to the District Court of Scott County, Iowa.

#### SEC. 28-14. JURISDICTION

The provisions of this Chapter shall apply throughout Scott County, Iowa, including cities and towns therein.

#### SEC. 28-15. ENFORCEMENT

It shall be the duty of the Health Officer to enforce the provisions of this Chapter.

#### SEC. 28-16. MUNICIPAL INFRACTION

Any person, persons, firm, partnerships or corporations, whether acting alone or in concert with any other, who violates this ordinance shall be guilty of a municipal infraction and shall be penalized as set forth in Chapter 29 of the County Code of Scott County, Iowa.

**SEC. 28-17. SEPARABILITY OF PROVISIONS**

If any section, paragraph, clause or provision of this regulation shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

**SEC. 28-18 APPLICABILITY**

In the event of a difference between the provisions of this Chapter and those contained in applicable state rules and regulations, the most stringent standards will prevail.



Insurance: Insurance coverage is in effect and carries an expiration date of \_\_\_\_\_  
and provides for the amount of \$\_\_\_\_\_ personal injury or death one person;  
\$\_\_\_\_\_

Personal injury or death two or more persons one accident; \$\_\_\_\_\_ property damage for  
each ambulance vehicle, and identifies Scott County, Iowa as named insured. **A certificate or affidavit  
shall be attached to this application.**

Evidence of Financial Stability: **A certificate or affidavit showing evidence of financial stability shall  
be attached to this application.**

Over 

This is an application from a prospective licensee or a present licensee who wishes to provide a new type  
of ambulance service, to establish a new base of operation or to expand a designated service area.

YES  NO

If yes, provide information directly related to the following subjects:

1. Response Time.
2. Vehicle Design.
3. Equipment Provided on Vehicles.
4. Duplication of Service, If Any.
5. Estimated Increased Benefit to the Public Health.
6. Communications Capability.
7. Capability To Provide Rescue Service.

Signature of Applicant

\_\_\_\_\_

Address of Applicant

\_\_\_\_\_

\_\_\_\_\_

Telephone Number of Applicant

\_\_\_\_\_

This Application Approved

Not Approved

Signature \_\_\_\_\_

Date

\_\_\_\_\_  
Health Officer  
Scott County, Iowa

### **ESA “A” (Current assignment: Buffalo Volunteer Ambulance Service)**

Commencing at the NW cor of section 30, Blue Grass Twp (T78N, R02E); thence ELY along the N line of section 30, Blue Grass Twp (T78N, R02E) to the intersection of the C/L of 70<sup>th</sup> Ave (County Road Y40) & the C/L of 160<sup>th</sup> St; thence NLY along the C/L of 70<sup>th</sup> Ave (County Rd Y40) to the junction with the C/L of 190<sup>th</sup> St; thence ELY on the C/L of 190<sup>th</sup> St to the junction with the W boundary of the corporate limits of Davenport; thence ELY and SLY along the W line of Davenport to the junction with the S boundary of Scott County; thence WLY along the Scott County boundary line to the junction with the W boundary of Scott County; thence NLY along the W boundary of Scott County to the Point of Beginning.

### **ESA “B” (Current Assignment: Durant Volunteer Ambulance)**

Commencing at the NE cor of section 01, Cleona Twp (T79N, R01E); thence WLY along the N side of section 01 to the NW cor of section 02 Cleona Twp (T79N, R01E); thence SLY along the W side of section 02 to the E cor of the NE  $\frac{1}{4}$  of section 03 Cleona Twp (T79N, R01E); thence WLY along the N side of the S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of section 03 to the E cor of the NE  $\frac{1}{4}$  of section 04, Cleona Twp (T79N, R01E); thence SLY along the E side of section 04, Cleona Twp (T79N, R01E) to the SE cor of section 04, Cleona Twp (T79N, R01E); thence WLY along the S side of section 04 to the junction with the W boundary of Scott County; thence SLY along the Scott County boundary line to the SW cor of section 31, Cleona Twp (T79N, R01E); thence ELY along the Scott County boundary line to the NW cor of section 06, Blue Grass Twp (T78N, R02E); thence SLY along the Scott County boundary line to the SW cor of the Walcott city limit line; thence following the Walcott city limits line in a counterclockwise direction to the junction with the C/L of 60<sup>th</sup> Ave (County Rd Y40); thence NLY along the C/L of 60<sup>th</sup> Ave (County Rd Y40) to the Point of Beginning.

### **ESA “C” (Current Assignment: Bennett Ambulance Service)**

Commencing at the NW cor of section 06, Liberty Twp (T80N, R01E); thence ELY along the N boundary of Scott County to the NW cor of section 05, Liberty Twp (T80N, R01E); thence SLY along the E side of section 05 to the junction with the C/L of 300<sup>th</sup> St; thence ELY along the C/L of 300<sup>th</sup> St to the junction with the C/L of 30<sup>th</sup> Ave; thence SLY along the C/L of 30<sup>th</sup> Ave to the junction with the C/L of 290<sup>th</sup> St (CR F31); thence ELY along the C/L of 290<sup>th</sup> St to the junction with the C/L of 295<sup>th</sup> St; thence ELY along the C/L of 295<sup>th</sup> St to the east side of section 15, Liberty Twp (T80N, R01E); thence SLY along east side of section 15 to the E cor of the NE  $\frac{1}{4}$  of section 03, Cleona Twp (T79N, R01E); thence WLY along the north line of the S  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of section 03, Cleona Twp (T79N, R01E) to the W cor of the NW  $\frac{1}{4}$  of section 03, Cleona Twp (T79N, R01E); thence SLY along the W side of section 03 to the SE cor of section 04, Cleona Twp (T79N, R01E); thence WLY along the S side of section 04 to the junction with the Scott County boundary; thence NLY along Scott County boundary to the Point of Beginning.

**ESA “D” (Current Assignment: Wheatland Emergency Medical Services)**

Commencing at the NW Cor of Section 04, Liberty Twp (T80N, R01E), thence ELY along the N line of Scott County to the junction with the E line of section 01, Liberty Twp (T80N, R01E)\*; thence SLY along the E line of section 01 to the junction with the corporate limits of Dixon; thence following the corporate limit line of Dixon in a clockwise direction to the junction with the C/L of 60<sup>th</sup> Ave; thence SLY along the C/L of 60<sup>th</sup> Ave to the SE cor of section 36, Liberty Twp (T80N, R01E); thence WLY along the S side of Liberty Twp (T80N, R01E) to the SW cor of section 35, Liberty Twp (T80N, R01E); thence NLY along the W side of section 35 to the junction with the C/L of 295<sup>th</sup> St; thence WLY along the C/L of 295<sup>th</sup> St to the junction with 290<sup>th</sup> St; thence WLY along the C/L of 290<sup>th</sup> St to the junction with 30<sup>th</sup> Ave; thence NLY along the C/L of 30<sup>th</sup> Ave to the junction with 300<sup>th</sup> St; thence WLY along the C/L of 300<sup>th</sup> St to the SE cor of section 08, Liberty Twp (T80N, R01E); thence NLY along the E side of section 08 to the Point of Beginning.

**ESA “E” (Current Assignment: Medic EMS)**

All territory remaining in Scott County and not contained within previously described ambulance districts.

SECTION 2.

The County Auditor is directed to keep and maintain a copy of the Ordinance in the County Auditor's office.

SECTION 3. SEVERABILITY CLAUSE

If any of the provisions of the Ordinance are for any reason illegal or void, then the lawful provisions of this Ordinance shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

APPROVED this 2<sup>nd</sup> day of July, 2013

\_\_\_\_\_  
Larry Minard, Chairman  
Scott County Board of Supervisors

ATTESTED BY: \_\_\_\_\_

Roxanna Moritz