

This Ordinance is superseded by a revised Ordinance No. 21, "An Ordinance Regulating Ambulance Franchises and the Provision of Prehospital and Emergency Medical Services in Caswell County", adopted by the Caswell County Board of Commissioners on March 6, 2006. (See Minute Book , Page . . . ).

ORDINANCE NO. 21

AN ORDINANCE REGULATING AMBULANCE  
SERVICE AND THE GRANTING OF FRANCHISES  
TO AMBULANCE OPERATORS IN  
THE COUNTY OF CASWELL

An Ordinance governing the granting of franchises for ambulance services and other prehospital emergency medical services. The County of Caswell Board of Commissioners does ordain the following:

SECTION I  
DEFINITIONS

Unless the context otherwise requires, the following definitions shall apply in the interpretation and enforcement of this Ordinance:

1.1 Ambulance. The term "ambulance" means any privately or publicly owned motor vehicle, aircraft, or vessel that is specially designed, constructed, or modified and equipped and is intended to be used for and is maintained or operated for the transportation on the streets or highways, waterways or airways of this State of persons who are sick, injured, wounded, or otherwise incapacitated or helpless.

1.2 Ambulance Attendant. The term "ambulance attendant" means an individual who has completed a training program in emergency medical care and first aid approved by the North Carolina Department of Human Resources and has been certified as an ambulance attendant by the Department of Human Resources, Office of Emergency Medical Services.

1.3 Emergency Medical Technican (EMT). The term "emergency medical technician" means an individual who has completed a training program in emergency medical care at least equal to the National Standard Training Program for Emergency Medical technicians as defined by the United States Department of Transportation and has been certified as an emergency medical technician by the Department.

1.4 Ambulance Provider. The term "ambulance provider" means an individual, firm, corporation or association who engages or professes to engage in the business or service of transporting patients in an ambulance.

1.5 Approved. The term "approved" shall mean approved by the North Carolina Medical Care Commission pursuant to the latter's Rules and Regulations promulgated under N. C. General Statutes 143B-165.

1.6 Secondary Ambulance Provider. The term "secondary ambulance provider" shall mean the system of personnel and equipment meeting the same criteria as a primary ambulance provider, but not normally dispatched on first call response.

1.7 County. The term "county" shall mean the County of Caswell Board of Commissioners or their designated representative.

1.8 Dispatcher. The term "dispatcher" shall mean a person who is available at all times to receive requests for emergency services, to dispatch emergency services, and to advise local law enforcement agencies and emergency medical facilities of any existing or threatened emergency.

1.9 Emergency. The terms "emergency" and "emergency transportation service" shall mean the use of an ambulance, its equipment and personnel to provide medical care and transportation of a patient who is in need of immediate medical treatment in order to prevent loss of life or further aggravation or physiological or psychological illness or injury.

1.10 First Responder. The term "first responder" shall mean an organization with personnel trained in emergency medical care that is dispatched to the scene of a medical emergency for the primary purpose of providing emergency medical assistance to a patient until the ambulance and additional medical aid arrives.

1.11 Franchise. The term "franchise" shall mean a permit issued by the county to a person for the operation of an ambulance service.

1.12 Franchisee. The term "franchisee" shall mean any person having been issued a franchise by the county for the operation of an ambulance service.

1.13 License. The term "license" shall mean any driver's license or permit to operate a motor vehicle issued under or granted by the laws of the State of North Carolina.

1.14 Nonemergency Transportation Services. The term "nonemergency transportation service" shall mean the operation of an ambulance for any purpose other than transporting emergency patients.

1.15 Operator. The term "operator" shall mean a person in actual physical control of an ambulance which is in motion or which has the engine running.

1.16 Owner. The term "owner" shall mean any person or entity who owns an ambulance.

1.17 Patient. The term "patient" mean an individual who is sick, injured, wounded, or otherwise incapacitated or helpless such that the need for some medical assistance might be anticipated while being transported to or from a medical facility.

1.18 Person. The term "person" shall mean any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose, or organization of any kind, including any governmental agency other than the United States.

1.19 Rescue. The term "rescue" shall mean situations where the victim can not escape an area through the normal exit or under his own power.

#### SECTION II

##### FRANCHISE REQUIRED

2.1 No person either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of emergency and/or nonemergency transportation of patients within the County of Caswell unless the person holds a valid permit for each ambulance used in such business or service issued by the North Carolina Department of Human Resources, Office of Emergency Medical Services, and has been granted a franchise for the operation of such business or service by the county pursuant to this Ordinance.

2.2 No person shall drive an ambulance, attend a patient in one, or permit one to be operated when transporting a patient within the County of Caswell unless he or she holds a currently valid certificate as an ambulance attendant, emergency medical technician, EMT-Intermediate or EMT-Paramedic issued by the North Carolina Department of Human Resources, Office of Emergency Medical Services.

2.3 No franchise shall be required for:

- (a) Any entity rendering assistance to a franchised ambulance service in the case of a major catastrophe, mutual aid or emergency with which the services franchised by the County of Caswell are insufficient or unable to cope; or
- (b) Any entity operated from a location or headquarters outside of the County of Caswell in order to transport patients who are picked up beyond the limits of the County of Caswell, to facilities located within the County of Caswell, or to pick up patients within the County of Caswell for transporting to locations outside the County of Caswell; or
- (c) Ambulances owned and operated by an agency of the United States government.

#### SECTION III

##### APPLICATION FOR AMBULANCE FRANCHISE

3.1 Application for a franchise to operate ambulances in the County of Caswell shall be made by the ambulance provider upon such forms as may be prepared or prescribed by the county and shall contain:

- (a) The name and address of the ambulance provider and of the owner of the ambulance(s).
- (b) The trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of an Assumed Name Certificate stating such name or Articles of Incorporation stating such name.
- (c) A resume of the training and experience of the applicant in the transportation and care of patients.
- (d) A full description of the type and level of service to be provided including the location of the place or places from which it is intended to operate, the manner in which the public will be able to obtain assistance and how the vehicles will be dispatched. An audited financial statement of the applicant as the same pertains to the operations in the County of Caswell, said financial statement to be in such form and in such detail as may be required by the county.
- (e) A description of the applicant's capability to provide twenty-four (24) hour coverage, seven (7) days per week for the district covered by the franchise applied for, and an accurate estimate of the minimum and maximum times for a response to calls within such district.
- (f) Any information the county shall deem reasonably necessary for a fair determination of the capability of the applicant to provide

ambulance services in the County of Caswell in accordance with the requirements of state laws and the provisions of this regulation.

SECTION IV  
GRANTING OF FRANCHISE

4.1 Prior to accepting applications for the operation of an ambulance service, the Board of Commissioners may designate specific service areas as franchise districts. Said districts will be established using criteria that includes geographic size, road access, the location of existing medical transportation services, population, and response time. The county shall have the authority to redistrict or rearrange existing districts at any time at their discretion.

4.2 Any applicant may apply for a franchise to operate either emergency transportation service or nonemergency transportation service or both. If both types of service are to be provided, separate applications must be filed for each type.

4.3 Upon receipt of an application for a franchise, the county shall schedule a time and place for hearing the applicant. Within thirty (30) days after hearing, the county shall cause such investigation as it may deem necessary to be made of the applicant and his proposed operations.

4.4 A franchise may be granted if the county finds that:

- (a) The applicant shows a reasonable effort to meet state standards and standards outlined in the franchise ordinance.
- (b) The proposed service will fit within the existing service so as not to adversely affect the level of service or operations provided by the county or other franchisees to render service.
- (c) A need exists for the proposed service in order to improve the level of ambulance services available to residents of the county and that this is a reasonable and cost effective manner of meeting the need.

SECTION V  
TERM OF FRANCHISE

5.1 The county may issue a franchise hereunder to an ambulance provider, to be valid for a term to be determined by the county, provided that either party as its option, may terminate the franchise upon sixty (60) days prior written notice to the other party. After a notice of service termination is given, the ambulance provider may reapply for a franchise if continued service is desired.

5.2 Upon suspension, revocation, or termination of a franchise granted hereunder, such franchised ambulance service immediately shall cease operations. Upon suspension, revocation, or termination of a driver's license or attendant's certificate or emergency medical technician certificate, such persons shall cease to drive an ambulance or provide medical care in conjunction with an ambulance service, or attend an ambulance. The franchisee shall not or permit such an individual to drive an ambulance or provide medical care in conjunction with the ambulance service.

5.3 Each franchised ambulance service shall comply at all times with the requirements of this Ordinance, the franchise granted hereunder, and all applicable state and local laws relating to health, sanitation, safety, equipment, and ambulance design and all other laws and ordinances.

5.4 Prior approval of the county shall be required where ownership or control of more than ten (10%) per cent of the right of control of franchisee is acquired by a person or group of persons acting in concert, none of whom own or control ten (10%) per cent or more of such right of control, singularly or collectively, at the date of the franchise. By its acceptance of the franchise, the franchisee specifically agrees that any such acquisition occurring without prior approval of the county shall constitute a violation of the franchise by the franchisee and shall be cause for termination at the option of the county.

5.5 Any change of ownership of a franchised ambulance service without the approval of the county shall terminate the franchise and shall require a new application and a new franchise and conformance with all the requirements of this Ordinance as upon original franchising.

5.6 No franchise may be sold, assigned, mortgaged, or otherwise transferred without the approval of the county; and a finding of conformance with all requirements of this Ordinance as upon original franchising. Each franchised ambulance service, 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 State, the county, or their designated representatives.

5.7 A franchise may not be defaced, removed, or obliterated.

#### SECTION VI

##### STANDARDS FOR DRIVERS AND ATTENDANTS

6.1 Standards for drivers and attendants as developed by the North Carolina Medical Care Commission as requirements for certification of ambulance attendants and emergency medical technicians pursuant to Article 26, Chapter 130-233, and Article 56, Chapter 143, of the General Statutes of North Carolina, and shall be applied and the same are incorporated herein by reference.

#### SECTION VII

##### STANDARDS FOR VEHICLES AND EQUIPMENT

7.1 Vehicle and equipment standards as developed by the North Carolina Medical Care Commission pursuant to Article 26, Chapter 130, and Article 56, Chapter 143, of the General Statutes of North Carolina, and shall be applied and the same are incorporated herein by reference.

#### SECTION VIII

##### STANDARDS FOR COMMUNICATIONS

8.1 Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of the county to each hospital(s) emergency department in the county in which the ambulance is based. Each ambulance

vehicle shall be equipped with two-way radio communications capabilities compatible with all hospitals emergency departments to which transportation of patients is made on a regular or routine basis anywhere within the state. Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of the county in which the ambulance dispatching agency within the county.

8.2 Each ambulance provider shall maintain current authorizations or Federal Communication Commission licenses for all frequencies and radio transmitters operated by that provider. Copies of all authorizations and licenses shall be on display and available for inspection per Federal Communication Commission's Rules and Regulations.

8.3 Each base of operations must have at least one (1) open telephone line. Telephone numbers must be registered with each law enforcement agency and communications center in the County of Caswell.

8.4 Each ambulance shall be dispatched from the County Dispatch Center.

SECTION IX  
INSURANCE

9.1 No ambulance franchise shall be issued under this Ordinance, nor shall such franchise be valid after issuance, nor shall any ambulance be operated in the County of Caswell unless the franchisee has at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the State of North Carolina, for each and every ambulance owned and or operated by or for the ambulance service providing for the payment of damages:

- (a) In the sum of Five Hundred Thousand (\$500,000.00) Dollars for injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or his agency; and
- (b) In the sum of One Hundred Thousand (\$100,000.00) Dollars for the loss of or damage to the property of another, including personal property, under like circumstances, in sum as may be required by the State or as approved by the County of Caswell.

SECTION X  
RECORDS

10.1 Each franchisee shall maintain the following records:

- (a) Record of Dispatch: Shall show time call was received, time ambulance dispatched, time arrived on scene, time arrived at destination, time in service and time returned to base.
- (b) Trip Record: Shall state all information required in Section (a) in addition to information on a form approved by the county. The trip record shall be so designed as to provide the patient with a copy thereof

containing all required information. A copy of the trip record may serve as a receipt for any charges paid.

- (c) Daily Report Log: Shall be maintained for the purpose of identifying more than one (1) person transported in any one (1) day.
- (d) Daily Driver and Attendant Checklist and Inspection Report: Shall list contents and description of operations for each vehicle, signed by the individual verifying vehicle operations and equipment.

#### SECTION XI

##### RATES AND CHARGES

11.1 Each franchisee shall submit a schedule of rates to the county for approval and shall not charge more nor less than the approved rates without specific approval by the county.

11.2 No ambulance service shall attempt to collect rates on emergency calls until the patient has reached the point of destination, has received medical attention and is in a condition deemed by the physician fit to consult with the ambulance service, but such service may attempt to collect rates with family or guardian of the patient once the patient is in the process of receiving medical attention.

11.3 On nonemergency calls, or calls where a person requires transportation to a nonemergency facility, attempts to collect payment can be made before the ambulance begins its trip.

#### SECTION XII

##### ENFORCEMENT

The Caswell County Department of Emergency Medical Services shall be the enforcing agency for the regulations contained in this Ordinance. Such office will:

- (a) Receive all franchise proposals from potential providers.
- (b) Study each proposal for conformance to this Ordinance.
- (c) Recommend to the Board of Commissioners the award of the franchise(s) to the applicants submitting the best proposal(s).
- (d) Inspect the premises, vehicles, equipment, and personnel of franchisees to assure compliance to this Ordinance and perform any other inspections that may be required.
- (e) Recommend to the Board of Commissioners the temporary or permanent suspension of a franchise in the event of noncompliance with the franchise terms of this Ordinance. Recommend the imposition of misdemeanor or civil penalties as provided therein.
- (f) Insure by cooperative agreement with other ambulance services the continued service in a district where an ambulance service franchise has been suspended.
- (g) Receive monthly reports from ambulance services and consolidate the same into a quarterly summary for review by the county.
- (h) Receive complaints from the public, other enforcing agencies, and ambulance services regarding franchise infractions. Review the complaint

with the county. Obtain corrective action with the approval of the county.

(i) Recommend improvements to the county which will insure better medical transportation.

(j) Maintain all records required by this Ordinance and other applicable county regulations.

(k) Perform such of the above functions as may be requested by any municipality with the County of Caswell.

SECTION XV

MISCELLANEOUS

15.1 The county may inspect a franchisee's records, premises, and equipment at any time in order to insure compliance with this Ordinance and any franchise granted hereunder.

SECTION XVI

ADDENDUMS TO ORDINANCE

16.1 The Board of Commissioners of the County of Caswell may, through appropriate actions, amend or expand this Ordinance to include other emergency departments or agencies as deemed necessary.

SECTION XVII

EFFECTIVE DATE

This Ordinance shall take effect upon adoption as provided for in G.S. 153A-44.

Adopted this the 7<sup>th</sup> day of January, 1985.

W. W. Pointer, Jr.  
W. W. Pointer, Jr., Chairman  
Caswell County Board of Commissioners

ATTEST:

Shirley S. Barber  
Clerk to the Board  
Caswell County Board of Commissioners



Ordinance No. 21,

[note: this ordinance replaces Ordinance No. 21: "An Ordinance Regulating Ambulance Service and the Granting of Franchises to Ambulance Operators in The County of Caswell," enacted January 7, 1985]

**Ordinance Regulating Ambulance Franchises and the Provision of Prehospital and Emergency Medical Services in Caswell County.**

**Statement of Purpose and General Authority:** This ordinance is adopted under the authority of N.C.G.S. § 153A-250 to assure the provision of adequate and continuing ambulance service and to preserve, protect, and promote the public health, safety, and welfare. This ordinance regulates the application, issuance of franchises, and compliance of emergency medical services and other pre-hospital emergency medical responders and providers with appropriate standards.

The Caswell County Board of Commissioners does ordain the following:

**Section 1 -- Abbreviations and Definitions**

Unless otherwise expressly stated, words that are not defined in this document shall be given their common and ordinary meaning.

1.1 Abbreviations

The following abbreviations are used throughout this ordinance mean:

- (1) EMD: Emergency Medical Dispatch
- (2) EMDPRS: Emergency Medical Dispatch Priority Reference System
- (3) EMS: Emergency Medical Services
- (4) EMT: Emergency Medical Technician
- (5) EMT-I: Emergency Medical Technician-Intermediate
- (6) EMT-P: Emergency Medical Technician-Paramedic
- (7) NCAC: North Carolina Administrative Code
- (8) NCCEP: North Carolina College of Emergency Physicians
- (9) NCGS: North Carolina General Statutes
- (10) NCOEMS: North Carolina Office of Emergency Medical Services
- (11) USDOT: United States Department of Transportation

1.2 Definitions

The following terms are used throughout this ordinance mean:

- (1) **Ambulance**  
 "Ambulance" means any publicly or privately owned vehicle, as certified by the North Carolina Office of Emergency of Emergency Medical Services, that is specifically designed, constructed or modified and equipped, and is intended to be used for and is maintained or operated for the transportation upon the streets and highways of this State for persons who are sick, injured, wounded or otherwise incapacitated or helpless.
- (2) **Ambulance Service**  
 "Ambulance Service" means any publicly or privately owned agency, as credentialled by the North Carolina Office of Emergency of Emergency Medical Services, that has been specially licensed to operate a service that is intended for the treatment and transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless.
- (3) **Committee**  
 "Committee" means the Caswell County Emergency Medical Services System Total Quality Management Committee.
- (4) **Contract**  
 "Contract" means a formal written agreement between two or more parties, which creates an obligation to provide certain services and/or benefits to the citizens of Caswell County.
- (5) **Convalescent Ambulance**  
 "Convalescent Ambulance" means an ambulance used on a scheduled basis solely to transport patients having a known non-emergency medical condition. Convalescent ambulances shall not be used in place of any other category of ambulance defined in this Ordinance.
- (6) **County**  
 "County" means The County of Caswell, North Carolina
- (7) **Emergency Apparatus**  
 "Emergency Apparatus" means a motor vehicle dedicated and equipped to move medical equipment or other emergency equipment and EMS personnel functioning within the scope of practice of basic, intermediate, or paramedic level emergency medical technicians to the scene of a request of assistance.

- (8) **EMS System**  
"EMS System" means a coordinated arrangement of resources (including personnel, equipment, and facilities) organized to respond to medical emergencies and integrated with other health care providers and networks including, but not limited to, public health, community health monitoring activities, and special needs populations.
- (9) **Franchise**  
"Franchise" shall mean a permit issued by the county to a person for the operation of an ambulance service, a first responder, or other pre-hospital emergency medical assistance organization.
- (10) **Franchise Holder**  
"Franchise Holder" means any person having been issued a franchise by the county for the operation of an ambulance service, first responder or other pre-hospital emergency medical organization.
- (11) **Ground Ambulance**  
"Ground Ambulance" means an ambulance used to transport patients with traumatic or medical conditions or patients for whom the need for emergency or non-emergency medical care is anticipated either at the patient location or during transport. Ground ambulances may be used to transport all types of patients.
- (12) **Medic**  
"Medic" means an individual who has completed a training program in emergency medical care at least equal to the USDOT National Standard Curriculum for Emergency Medical Technician-Basic, Intermediate, or Paramedic and holds a credential issued by the North Carolina Office of EMS and is affiliated with the Caswell County EMS System.
- (13) **Medical Crew Members**  
"Medical Crew Members" means EMS personnel or other health care professionals who hold a current credential and are affiliated with the Caswell County EMS System.
- (14) **Medical Director**  
"Medical Director" means the physician who is responsible for the medical oversight of the Caswell County EMS System.
- (15) **Medical Oversight**  
"Medical Oversight" means the responsibility for the management and accountability of the medical care aspects of the Caswell County EMS System.

- (16) **Medical Responder** means an individual who has completed a training program in emergency medical care at least equal to the National Standard Curriculum for Medical Responders as outlined by the US DOT and hold a current credential and are affiliated in the Caswell County EMS System.
- (17) **Office of Emergency Medical Services (OEMS)**  
"Office of Emergency Medical Services means a section of the Division of Facility Services in the North Carolina Department of Health and Human Services.
- (18) **Operational Protocols**  
"Operational Protocols" means the written administrative policies and procedures of an EMS System that provide guidance for the day to day operation of the system.
- (19) **Operator**  
"Operator" means a person in actual physical control of an apparatus which is in motion or which has the engine running.
- (20) **Physician**  
"Physician" means a medical or osteopathic physician licensed by the North Carolina Medical Board to practice medicine in the state of North Carolina.
- (21) **Prehospital Emergency Medical Services**  
"Prehospital Emergency Medical Services" means a service that responds to medical emergencies and provides treatment and transportation to patients in a setting outside or before hospital services are provided.
- (22) **Provider**  
"Provider" means an individual, firm, corporation, or association who engages or professes to engage in the business or service or responding to medical emergencies or transporting patients by means of ground or conveyances.
- (23) **Treatment Protocols**  
"Treatment Protocols" means a written document approved by the medical directors of both the local EMS System and the North Carolina Office of EMS specifying the diagnostic procedures, treatment procedures, medication administration and patient-care-related policies that shall be completed by EMS personnel or medical crew members based upon the assessment of a patient.

- (24) **Total Quality Management Committee** means a committee within an "Total Quality Management Committee" that is affiliated with a medical review committee as referenced in N.C.G.S. § 143-518 (a)(5) and is responsible for the continued monitoring and evaluation of medical and operational issues within the system and for improvement of the system.

**SECTION II. Franchise Required**

- 2.1 No person, either as an owner, agent, or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of emergency and/or non-emergency transportation of patients within The County of Caswell unless the person holds a valid permit pursuant to Article 7, Chapter 131E-156 of the General Statutes of North Carolina for each ambulance used in such business or service issued by the North Carolina Department of Health and Human Services, Office of Emergency Medical Services, and has been granted a franchise for the operation of such business or service by the county pursuant to this ordinance.
- 2.2 No person shall permit an ambulance to be operated when transporting a patient within The County of Caswell unless the crew consists of a minimum of one individual that holds a currently valid certificate as a Medical Responder and at least one individual that holds a currently valid certificate as an Emergency Medical Technician-Basic, Intermediate, or Paramedic as defined by the USDOT and currently holds a North Carolina Office of EMS credential and is affiliated with and subject to The Caswell County EMS System plan.
- 2.3 No person, either as owner, agent, or otherwise, shall furnish, operate, conduct, maintain, advertise or otherwise be engaged in or profess to be engaged in the business or service of medical first responder, ambulance service or other pre-hospital emergency medical services organization unless granted a franchise for the operation of such business or service by the county pursuant to this ordinance.
- 2.4 No franchise shall be required for:
- (1) Any entity rendering assistance to the franchised ambulance service in the case of a major catastrophe, mutual aid, or emergency with which the services franchised by The County of Caswell are insufficient or unable to cope; or,

(2) Any entity operated from a location or headquarters outside The County of Caswell in order to transport patients who are picked up beyond the limits of The County of Caswell, and transported back into the limits of The County of Caswell; or,

(3) Apparatus owned and operated by any agency of the United States government, the State of North Carolina, or The County of Caswell.

### **Section III. APPLICATION FOR FRANCHISE**

3-1 A proposal for a franchise to operate ground ambulances, convalescent ambulances, a medical responder or other pre-hospital emergency medical services organization in The County of Caswell shall be made by the provider and shall contain at a minimum the following information:

(1) The name and address of the provider and the owner of any apparatus.

(2) The trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of an assumed name certificate stating such name or articles of incorporation.

(3) A resume of the training and experience of all personnel associated with the applicant in the care of patients.

(4) A full description of the type and level of service to be provided including the location of the place or places from which it is intended to operate, the manner in which the public will be able to obtain assistance and how apparatus will be dispatched.

(5) An audited financial statement of the applicant as the same pertains to the operations in The County of Caswell, said financial statement to be in such form and in such detail as may be required by the county.

(6) A description of the applicant's capability to provide twenty-four hour emergency and non-emergency coverage, seven days per week for the district covered by the franchise applied for, and an accurate estimate of the minimum and maximum times for a response to calls within such district.

(7) Any information the county shall deem reasonably necessary for a fair determination of the capability of the applicant to provide pre-hospital services in The County of Caswell in accordance with the requirements of state laws and the provisions of the regulation.

(8) A non-refundable application fee in an amount set by the Board of Commissioners will be submitted with each application for franchise. There will be no consideration given to any application for franchise until this application fee is collected.

#### **Section IV. Granting of a Franchise**

- 4.1 Prior to accepting applications for the operation of a service, the Board of Commissioners may designate service districts. The county shall have the authority to redistrict or rearrange existing districts at any time and at their discretion.
- 4.2 An applicant may apply for a franchise to operate either emergency, non-emergency, convalescent transportation or any combination of the aforementioned services.
- 4.3 Upon receipt of an application for a franchise, the county shall schedule a time and place for hearing the applicant(s) request(s). Within 45 days after the hearing, the county shall cause such investigation as it may deem necessary to be made of the applicant and his proposed operations.
- 4.4 A franchise may be granted if the county finds that:
  - (1) The applicant shows that he or she meets federal, state, and local standards outlined in the franchise ordinance.
  - (2) The proposed service will fit within the existing service so as not to adversely affect the level of service or operations of other franchises to render service.
  - (3) A need exists for the proposed service in order to improve the level of pre-hospital emergency medical services available to residents of the county and that this is a reasonable and cost effective manner of meeting the need.

#### **Section V. Term of the Franchise**

- 5.1 The county may issue a franchise hereunder to a provider, to be valid for a term of five years, after which the franchise holder must resubmit a franchise application. Any franchise granted may be suspended or revoked by the Board of Commissioners, after a hearing held upon 30 days notice to any franchise holder for failure to comply with any provision of this ordinance. The Director of Emergency Services may issue the notice of a suspension or revocation hearing. The franchise holder shall be afforded the opportunity to show good cause why his franchise should not be suspended or revoked. If, upon such hearing, the Board of Commissioners shall find that the franchise holder has corrected any deficiencies, and brought itself into compliance with the terms of the ordinance,

the franchise will not be suspended or revoked. After a notice of service termination is given, the provider may reapply for a franchise if continued service is desired.

5.2 Upon suspension, revocation, or termination of a franchise granted hereunder, such franchise service immediately shall cease operations. Upon suspension, revocation, or termination of a driver's license, medical responder or technician credential, such persons shall cease to drive an ambulance, provide medical care in conjunction with a franchise, or attend a patient. The franchise holder shall not permit such an individual to drive an ambulance or provide medical care in conjunction with the service.

5.3 Each franchised service shall comply at all times with the requirements of this ordinance, the franchise granted hereunder, and all applicable state and local laws relating to health, sanitation, safety, equipment, and apparatus design and all other applicable laws and ordinances.

5.4 Any change in ownership or any fractional interest of a franchised service without the approval of the county shall terminate the franchise and shall require a new application and a new franchise and conformance with all the requirements of this ordinance as upon original franchising.

5.5 No franchise shall be sold, assigned, mortgaged, or otherwise transferred without the approval of the county; and finding of conformance with all the requirements as upon original franchising. Each franchised service, 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 state, county, or their designated representatives.

5.6 An annual renewal fee in an amount to be set by the Board of Commissioners will be collected from each franchise provider on or before June 30. The annual fee will not be collected in the same year in which a franchise application fee is collected. Any provider failing to make payment of this annual fee will be subject to suspension of their provider franchise.

## **Section VI. Standards for Operators and Technicians**

6.1 Standards for emergency vehicle operators will be at the minimum equal to the North Carolina Rescue Commission, Emergency Vehicle Driver Certification.

6.2 Standards for medical technicians are National Standard Curriculum for Emergency Medical Technician – Basic, Intermediate, and Paramedic as defined by the United States Department of Transportation and hold current credentials in North Carolina, pursuant to Article 7, Chapter 131E-158 and 131E-159 of the General Statutes of North Carolina and shall be applied and the same are incorporated herein by reference.



- 6.3 All personnel providing pre-hospital medical care will be subject to the direction and control of the Caswell County EMS System Medical Director and their level of services subject to review by the Caswell County Emergency Medical Services Total Quality Management Committee.
- 6.4 All franchises and personnel will adhere to the Caswell County Emergency Medical Services System Plan.

**Section VII. Standards for Vehicles and Equipment**

- 7.1 Apparatus and equipment standards (medical) as developed by the North Carolina Medical Care Commission pursuant to Article 7, Chapter 131E-157 of the General Statutes of North Carolina and shall be applied and the same are incorporated herein by reference. All advance life support equipment is to be approved by the North Carolina Medical Care Commission and should be operated and maintained according to manufactures recommendations and normally acceptable operations.

**Section VIII. Standards for Communications**

- 8.1 Each apparatus shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of the county to Caswell County's Emergency Communications Center.
- 8.2 Each provider shall maintain current authorizations or Federal Communication Commission licenses for all frequencies and/or radio transmitters operated by that provider. Copies of all authorizations and licenses shall be on display and available for inspection per Federal Communication Commission Rules and Regulations.
- 8.3 Each base of operations must have at least one (1) open telephone line. Telephone numbers must be registered with each law enforcement agency, fire department servicing that base, emergency services, and the Caswell County Emergency Communications Center.
- 8.4 All emergency apparatus shall be dispatched thru the Caswell County Emergency Communications Center.

**Section IX. Insurance**

- 9.1 No franchise shall be issued under this ordinance, nor shall such franchise be valid after issuance, nor shall any apparatus be operated in The County of Caswell unless the franchise holder has at all times in force and effect insurance

coverage, issued by an insurance company licensed to do business in the state of North Carolina, for each and every apparatus owned and/or operated by or for the service providing for the payment of damages; for each medical first responder or other pre-hospital emergency medical services organization. The issuance of said insurance shall comply with the following:

(1) Issued in the sum of no less than \$1,000,000 for injury to or death of individuals in accidents resulting from any cause for which the owner of said vehicle would be liable on account of liability imposed on him by law, regardless of whether the ambulance was being driven by the owner or his agency; and,

(2) In the sum of no less than \$500,000 for the loss of or damage to the property of another, including personal property, under like circumstances, in the sums as may be required by the state or as approved by The County of Caswell.

(3) Each in the sum of no less than \$1,000,000 for malpractice.

(4) Each in the sum of no less than \$1,000,000 for general liability.

9.2 The Board of Commissioners may at its own discretion provide malpractice insurance for franchised, volunteer pre-hospital emergency medical services.

### **Section X. Records**

10.1 Each franchise holder shall maintain the following records:

(1) **Patient Care Report:** Shall record all times associated with a call involving patient contact. These times at a minimum will include: time received, enroute, arrival at scene, departure from scene, arrival at destination, and time apparatus back in service. The report shall list all individuals and apparatus on each response. The report shall also contain a detailed account of all actions taken at the scene of the call. All Patient Care Reports should be compliant to NCOEMS data submission requirements and contain all data points specified by NCEP: "Standards for Medical Oversight and Data Collection" in accordance to 10A NCAC 13P .201 (EMS System Requirements). This rule is in accordance to NC General Statute 150B-21.6.

(2) **Receipts/Patient Information:** Shall provide the ability to provide the patient or their designee a copy of all information collected and a receipt of any charges paid.

(3) **Daily Inspection Report:** Shall list the contents and description of operations for each apparatus, signed by the individual verifying vehicle operations and equipment.

- (4) Training Records: Shall record all information associated with the training session including the topic/title, date, start time, completion time, total hours, location, the instructor and all attendee's original signature(s) for each class.

### **Section XI. Rates and Charges**

- 11.1 Each franchise holder shall submit a schedule of rates to the county for approval and shall not charge more or less than the approved county rates without specific approval by the county
- 11.2 No ambulance service shall attempt to collect rates on emergency calls until the patient has reached the point of destination or has received medical attention and is in a condition deemed by a physician fit to consult with the service. Such service may attempt to collect rates with family or guardian of the patient once the patient is in the process of receiving medical attention.
- 11.3 On non-emergency calls where a person requires transportation to a non-emergency facility, attempts to collect payment can be made before the ambulance begins its trip.

### **Section XII. Enforcement**

- 12.1 The Caswell County Director of Emergency Services shall be the enforcing officer for the regulations contained in the ordinance. Such officer will:
  - (1) Receive all franchise proposals from potential providers.
  - (2) Study each proposal for conformance to this ordinance.
  - (3) Recommend to the Board of Commissioners, after review by the Quality Management Committee, the award of any franchise.
  - (4) Inspect the premises, vehicles, equipment, and personnel of franchise holders to assure compliance to this ordinance and perform any other inspections that may be required.
  - (5) Recommend to the Board of Commissioners, after review by the Total Quality Management Committee, the temporary or permanent suspension of a franchise in the event of noncompliance with the franchise terms of this ordinance. Additionally, recommend the imposition of misdemeanor or civil penalties as provided herein.

- (6) Ensure by cooperative agreement with other services or agencies, if necessary, the continued service in a district where a franchise has been suspended.
  - (7) Receive monthly reports from franchise holders and consolidate the same into a quarterly summary for review by the Quality Management Committee and the County.
  - (8) Receive complaints from the public, enforcement agencies and other franchise holders regarding franchise infractions. Review complaints with the committee and execute corrective action under the recommendation of the committee.
  - (9) With the approval of the committee, recommend improvements to the County, which will ensure a higher degree of quality medical services.
  - (10) Maintain all records required by this ordinance and other applicable County regulations.
  - (11) Perform such of the above functions as may be requested by any municipality within The County of Caswell.
  - (12) Serve as staff to the Caswell Emergency Medical Services Quality Management Committee on all matters that pertain to the committee.
- 12.2 Violations of this ordinance shall be enforced by the Director of Emergency Services, who is authorized to issue notices of violation for each failure to comply and may assess a civil penalty of \$500.00 for each separate violation, and who may proceed to schedule a hearing for suspension or revocation of a franchise.
- 12.3 Franchise holders whose franchise is suspended, revoked, terminated, or expired shall immediately cease operations.
- 12.4 The County retains all other remedies at law or in equity not enumerated herein to enforce compliance with the terms of this ordinance.

### **Section XIII. Miscellaneous**

- 13.1 The County may inspect a franchise holder's records, premises, and equipment at any time in order to insure compliance with this ordinance and any franchise granted hereunder.
- 13.2 All county or municipal fire departments, law enforcement organizations, and other governmental organizations located within Caswell County will not be subject to the provisions of this ordinance.

13.3 When an ambulance service, medical first responder group, or other pre-hospital emergency medical provider has satisfactorily met all other requirements herein stated, then the County shall issue said provider an award of franchise which shall also be signed by the provider acknowledging acceptance to be bound by the terms of this ordinance.

**Section XIV. Effective Date and Repeal of Prior Ordinance**

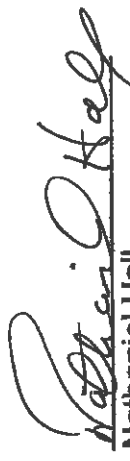
14.1 Adoption of this ordinance repeals and replaces Ordinance No. 21: "An Ordinance Regulating Ambulance Service and the Granting of Franchises to Ambulance Operators in The County of Caswell," enacted January 7, 1985.

14.2 This ordinance has been adopted following a public hearing in accordance with N.C.G.S. § 153A-250. It shall take effect on the date of its adoption, indicated below.

Adopted this the 6th day of March, 2006.

Attest:

  
Wanda P. Smith  
Clerk to the Board

  
Nathaniel Hall  
Chairman, Caswell County Board  
Of Commissioners

