




Interoffice Memorandum

AGENDA ITEM

July 21, 2022

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THRU: Raul Pino, MD, MPH, Director
Health Services Department 

FROM: Christian C. Zuver, M.D., Medical Director
EMS Office of the Medical Director
Contact: (407) 836-7611

SUBJECT: Certificate of Public Convenience and Necessity
Renewal for Winter Garden Fire Rescue Department
Consent Agenda – August 9, 2022

The EMS Office of the Medical Director ("EMS") requests the approval of the application to renew the Certificate of Public Convenience and Necessity ("COPCN" or "certificate") for Winter Garden Fire Rescue Department ("Winter Garden Fire Rescue") to provide Advanced Life Support, Basic Life Support, and interfacility transport and non-transport services. Winter Garden Fire Rescue has submitted the application requesting the renewal of its COPCN which has been in effect since 2006.

In accordance with Orange County Code, EMS has reviewed Winter Garden Fire Rescue's renewal application. EMS has not received any substantial and material complaints against Winter Garden Fire Rescue, and the status of Winter Garden Fire Rescue has not substantially and materially changed. Accordingly, EMS recommends that the Orange County Board of County Commissioners renew Winter Garden Fire Rescue's certificate.

ACTION REQUESTED: Approval and execution of the renewal Certificate of Public Convenience and Necessity for Winter Garden Fire Rescue Department to provide Advanced Life Support, Basic Life Support, and interfacility transport and non-transport services. The term of this certificate is from October 31, 2022 through October 31, 2024. There is no cost to the County. **(EMS Office of the Medical Director)**

CZ/jj

Attachments

BCC Mtg. Date: August 9, 2022

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
WINTER GARDEN FIRE RESCUE DEPARTMENT

WHEREAS, Section 401.25, Florida Statutes, governs the licensure of entities providing prehospital advanced life support ("ALS") services or basic life support ("BLS") transportation services and requires applicants for licensure to obtain a certificate of public convenience and necessity from each county in which the applicant will operate; and

WHEREAS, Section 401.25, Florida Statutes, authorizes the governing body of each county to adopt ordinances that provide reasonable standards for certificates of public convenience and necessity, and requires the consideration of state guidelines, recommendations of the local or regional trauma agency created under Chapter 395, Florida Statutes, and the recommendations of municipalities within its jurisdiction when developing said standards; and

WHEREAS, Chapter 20, Article III, Orange County Code (the "Code"), governs the application for a certificate of public convenience and necessity in Orange County, Florida ("COPCN" or "certificate") and provides reasonable standards; and

WHEREAS, on June 16, 2022, Winter Garden Fire Rescue Department ("Winter Garden Fire Rescue" or "Applicant") submitted its renewal application for a COPCN to Orange County's Office of the Medical Director/EMS Division ("EMS") to provide ALS transport services in Orange County, Florida ("Application"); and

WHEREAS, pursuant to the Code, EMS reviewed the Application and has not received any substantial and material complaints against the Applicant, and the status of the Applicant has not substantially and materially changed. Accordingly, EMS recommends that the Orange County Board of County Commissioners ("Board" or "BCC") renew the Applicant's certificate; and

WHEREAS, the Board has considered the Application, EMS's recommendation, and all applicable recommendations from municipalities within Orange County, Florida (the "County"). The Board has determined that the Applicant's proposed service, to the extent authorized by this certificate, is or will be required by the present or future public convenience or necessity. The Board has determined that the Applicant is financially and otherwise able to provide adequate and uninterrupted service as required.

NOW THEREFORE, THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS CERTIFIES:

Section 1. Recitals. The above recitals are hereby incorporated into this certificate.

Section 2. Application, Levels of Service, and Certificate. The Board hereby grants Winter Garden Fire Rescue's Application to renew its COPCN and authorizes Winter Garden Fire Rescue to provide the following levels of service in the County in accordance with the terms, conditions, and limitations of this certificate: (a) Level 2 BLS non-transport; (b) Level 3 BLS transport; (c) Level 4 ALS non-transport; (d) Level 5 ALS transport; and (e) Level 7 Interfacility transport. The Board hereby issues this certificate to Winter Garden Fire Rescue

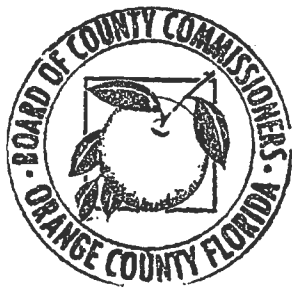
Department. The Board certifies that the Applicant's services are for the benefit of the population of the County or the benefit of the population of some geographic area of the County.

Section 3. Term. The "Term" of this certificate is the period of time during which this certificate is valid and effective. This certificate's Term shall be for a two-year period beginning on **October 31, 2022** and expiring on **October 31, 2024**. Notwithstanding the foregoing, the Term may expire earlier if this certificate is suspended or revoked pursuant to Orange County Code.

Section 4. Indemnification. The County maintains a program of self-insurance to cover claims or losses arising out of its operations.

Section 5. Compliance with Laws. By accepting this certificate or providing BLS or ALS services in Orange County pursuant to this certificate, AMR agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS 9th DAY OF August, 2022.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk



ORANGE COUNTY, FLORIDA
EMS OFFICE OF THE MEDICAL DIRECTOR
RENEWAL APPLICATION
FOR
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

☒ ALS TRANSPORT
☐ BLS TRANSPORT
☐ ALS AIR TRANSPORT

☐ ALS NON-TRANSPORT
☐ BLS NON-TRANSPORT
☐ INTERFACILITY TRANSPORT

APPLICATION DATE June 16, 2022

1. NAME OF SERVICE Winter Garden Fire Rescue Department

2. BUSINESS ADDRESS (STREET) 1 East Cypress Street CITY Winter Garden

COUNTY Orange STATE FL ZIP CODE 34787

3. PHONE NUMBER 407-877-5175 FAX 407-656-4017 24 Hour Number 407-202-2419

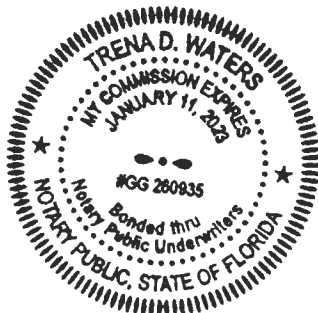
Internet E-Mail address jgainza@cwqdn.com

Manager's Name José Gainza Title Fire Chief

NOTE: (IF THERE ARE ANY CHANGES TO BE MADE TO YOUR PREVIOUS APPLICATION, PLEASE LIST BY NUMBER IN THE SPACE PROVIDED BELOW. (Use separate sheet if necessary). COMPLETE PERSONNEL AND VEHICLE ROSTER ATTACHMENTS, IF THERE ARE ANY CHANGES).

1. Manager's name, email and 24 hour number updated

TO THE BEST OF MY KNOWLEDGE, ALL STATEMENTS ON THIS APPLICATION ARE TRUE AND CORRECT AND THERE ARE NO OTHER CHANGES TO BE MADE TO THE ORIGINAL APPLICATION.



Trena D. Waters
SIGNATURE
6/16/22
DATE:

NOTARY SEAL
Trena D. Waters
NOTARY SIGNATURE