



Legislation Text

File #: 24-1772, **Version:** 1

Interoffice Memorandum

DATE: November 19, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Raul Pino, M.D., MPH, Director

FROM: Christian C. Zuver, M.D., Medical Director, EMS Office of the Medical Director

CONTACT: Sandra Roe

PHONE: 407-836-7611

DIVISION: EMS, Office of the Medical Director

ACTION REQUESTED:

Approval and execution of the renewal Orange County, Florida Certificate of Public Convenience and Necessity for Adventist Health System/Sunbelt, Inc. doing business as AdventHealth Flight 1 to provide Interfacility Air Ambulance services in Orange County, Florida. The term of this Certificate is from January 2, 2025, through January 1, 2027. There is no cost to the County. **(EMS Office of the Medical Director)**

PROJECT: N/A

PURPOSE: 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 Adventist Health System/Sunbelt Inc. doing business as AdventHealth Flight 1 ("AdventHealth Flight 1") to provide interfacility air ambulance services. AdventHealth Flight 1 has submitted the attached application requesting the renewal of its COPCN which has been in effect since 1995. In accordance with Orange County Code, EMS has reviewed AdventHealth Flight 1's renewal application. EMS has not received any substantial and material complaints against AdventHealth Flight 1, and the status of AdventHealth Flight 1 has not substantially and materially changed. Accordingly, EMS recommends that the Orange County Board of County Commissioners renew AdventHealth Flight 1's Certificate.

BUDGET: N/A

BCC Mtg. Date: December 17, 2024

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
ADVENTIST HEALTH SYSTEM/SUNBELT INC.
doing business as
ADVENTHEALTH FLIGHT 1

WHEREAS, Section 401.25, Florida Statutes, governs the licensure of entities providing prehospital or interfacility 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

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 September 6, 2024, Adventist Health System/Sunbelt Inc. doing business as AdventHealth Flight 1 (“AdventHealth Flight 1” or “Applicant”) submitted its renewal application for a COPCN (“Application”) to Orange County’s Office of the Medical Director/EMS Division (“EMS”) to provide ALS interfacility transport services in Orange County, Florida; and

WHEREAS, pursuant to Section 20-99 of 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 AdventHealth Flight 1’s Application to renew its COPCN and authorizes AdventHealth Flight 1 to provide **Level 7 interfacility air ambulance services in Orange County, Florida** in accordance with the terms, conditions, and limitations of this Certificate. The Board hereby issues this certificate to **Adventist Health System/Sunbelt Inc. d/b/a AdventHealth Flight 1.**

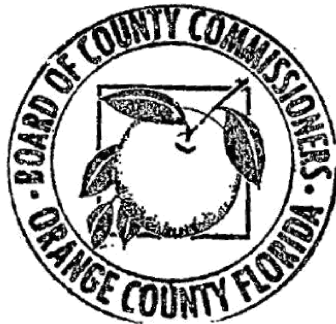
The Board certifies that the Applicant's services are for the benefit of the population of the County or the benefit of the population of some geographic area of the County.

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 **January 2, 2025**, and expiring on **January 1, 2027**. Notwithstanding the foregoing, the Term may expire earlier if this Certificate is suspended or revoked pursuant to Orange County Code.

Section 4. Indemnification. In consideration of this Certificate, which permits AdventHealth Flight 1 to provide interfacility air ambulance services in Orange County, pursuant to Section 20-96, Orange County Code, and to the fullest extent permitted by law, AdventHealth Flight 1 agrees to defend, indemnify, and hold harmless the County, its officials, agents, and employees from and against any and all claims, suits, judgments, demands, liabilities, damages, cost and expenses (including attorney's fees) of any kind or nature whatsoever arising directly or indirectly out of or caused in whole or in part by any act or omission of AdventHealth Flight 1 or its subcontractors (if any), anyone directly or indirectly employed by them, or anyone for whose acts any of them may be liable; excepting those acts or omissions arising out of the sole negligence of the County.

Section 5. Compliance with Laws. By accepting this Certificate or providing interfacility air ambulance services in Orange County pursuant to this Certificate, AdventHealth Flight 1 agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS 17 DAY OF December, 2024.



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: *Jennifer Ann-Klinetz*
Deputy Clerk