



Legislation Text

File #: 24-1531, **Version:** 1

Interoffice Memorandum

DATE: October 4, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Raul Pino, MD, MPH, Director

FROM: Christian Zuver, M.D., Medical Director

CONTACT: Sandra Roe

PHONE: 407-836-7611

DIVISION: EMS, Office of the Medical Director

ACTION REQUESTED:

Approval and execution of the renewal Certificate of Public Convenience and Necessity for the City of Winter Garden Fire Rescue Department to provide Advance Life Support transport services in Orange County, Florida. The term of this Certificate is from November 1, 2024, through October 31, 2026. 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 the City of Winter Garden Fire Rescue Department ("Winter Garden Fire Rescue") to provide Advanced Life Support ("ALS") transport services. Winter Garden Fire Rescue has submitted the attached 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.

BUDGET: N/A

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
LIFEFLEET SOUTHEAST, INC. D/B/A AMERICAN MEDICAL RESPONSE

WHEREAS, Section 401.25, Florida Statutes, governs the licensure of entities providing prehospital and interfacility advanced life support (“ALS”) services and 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 5, 2024, Lifefleet Southeast, Inc. doing business as American Medical Response (“AMR” or “Applicant”) submitted its renewal application for a COPCN to Orange County’s Office of the Medical Director/EMS Division (“EMS”) to provide ALS services (“Application”); 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 and Certificate. The Board hereby grants AMR’s Application to renew its COPCN and authorizes AMR to provide **Level 5 ALS transport services in Orange County, Florida** in accordance with the terms, conditions, and limitations of this Certificate. The Board hereby issues this Certificate to **Lifefleet Southeast, Inc. d/b/a American Medical Response**. The Board certifies that the Applicant’s proposed 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 **November 2, 2024**, and expiring on **November 1, 2026**. 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 AMR to provide ALS services in Orange County, pursuant to Section 20-96, Orange County Code, and to the fullest extent permitted by law, AMR 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, costs 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 AMR 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 ALS services in Orange County pursuant to this Certificate, AMR agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS 29 DAY OF October, 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 Kimez*
Deputy Clerk