

ORANGE COUNTY, FLORIDA
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
for
THE NEMOURS FOUNDATION
D/B/A NEMOURS CHILDREN'S HOSPITAL, FLORIDA

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 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, provides reasonable standards for applying for a certificate of public convenience and necessity in Orange County, Florida; and

WHEREAS, The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida (“Nemours” or “Applicant”) submitted an application dated March 15, 2024, to Orange County EMS for a COPCN to provide interfacility ALS and BLS transport services in Orange County, Florida (“Application”); and

WHEREAS, on May 15, 2024, the Orange County Emergency Medical Services Advisory Council (“EMSAC”) held a regularly scheduled public meeting to evaluate the countywide emergency medical services system and review the Application, and, following the meeting, EMSAC voted to recommend the Application for approval in accordance with Section 20-95 of the Code; and

WHEREAS, the Board has considered the Application, the recommendations from Orange County EMS, EMSAC, local municipalities (as applicable), and any and all other timely written recommendations or objections; and

WHEREAS, the Board has determined that Nemours is financially and otherwise able to provide adequate and uninterrupted service and that Nemours’ proposed service, to the extent authorized by this Certificate, is in the interest of the public convenience and necessity.

NOW THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS:

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

Section 2. Application, Levels of Service, and Certificate. The Board hereby grants The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida’s Application for a COPCN and authorizes The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida to provide **Level 7 interfacility transport services in Orange County, Florida** in accordance with the

terms, conditions, and limitations of this Certificate. The Board hereby issues this Certificate to **The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida**. The Board certifies that Nemours’ proposed services are in the interest of the public convenience and necessity.

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 19, 2024**, and expiring on **October 18, 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 The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida to provide interfacility transport services in Orange County, pursuant to Section 20-96, Orange County Code, and to the fullest extent permitted by law, The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida 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 The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida 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 transport services in Orange County pursuant to this Certificate, The Nemours Foundation d/b/a Nemours Children’s Hospital, Florida agrees to comply with all applicable state and local laws and regulations.

ADOPTED THIS _____ DAY OF _____, 2024.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

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

By: _____
Deputy Clerk