

STATE OF LOUISIANA

PARISH OF WASHINGTON

WASHINGTON PARISH COUNCIL

ORDINANCE NO. 11-540

Introduced on February 14, 2011

Introduced by Randy Thomas

Public hearing held on February 28, 2011

**AN ORDINANCE REGULATING AMBULANCE SERVICES,
EMERGENCY MEDICAL SERVICES
AND ASPECTS ATTENDANT TO AMBULANCE OPERATION**

The Washington Parish Government and the Sheriff of Washington Parish jointly declaring that it is essential to the health, safety and welfare of the Parish and its people that consistent high quality emergency medical care be provided and that any and all aspects of ambulance operation be provided within a medically acceptable response time, hereby present the following ordinance to accomplish this purpose;

WHEREAS, the Louisiana Legislature under La. R.S. 33:4791.1 has recognized and affirmed that the regulation of privately operated ambulance service is an essential governmental function;

AND WHEREAS, La. R.S. 33:4791.1 declares the policy of the State of Louisiana is to provide that local governing authorities may regulate privately operated ambulance services, the furnishing of emergency medical services, and any and all aspects attendant to ambulance operation;

AND WHEREAS, under La. R.S. 33:4791.1 the Louisiana Legislature has declared that local governing authorities may protect the public health, safety and welfare by licensing, controlling and regulating, by ordinance or resolution, privately operated ambulance services, the furnishing of emergency medical services, and any and all aspects attendant to ambulance operations within the jurisdiction of the local governing authority;

AND WHEREAS, under La. R.S. 33:4791.1 local governing authorities are empowered by the State of Louisiana: to regulate the business of providing ambulance service, including emergency medical services, within the jurisdiction of the local governing authority; to establish safety and insurance requirements, as well as any other requirements, to ensure safe, reliable and responsive ambulance service; to establish requirements for access by ambulance services for the provision of emergency medical services to the 9-1-1 or other emergency communications dispatch within the jurisdiction of the local governing authority;

BE IT ORDAINED, that privately operated ambulance services may enter into the business of providing ambulance service within the Parish of Washington as long as the ambulance service complies with all of the requirements of the State of Louisiana and any additional requirements that may be imposed in the future by the State of Louisiana.

BE IT FURTHER ORDAINED, that ambulance services doing business in the Parish of Washington as of the effective date of this ordinance shall be allowed access for the provision of emergency medical services to the 9-1-1 or other emergency communications dispatch of the Parish of Washington subject to the following requirements and conditions:

1. The ambulance service is in compliance with all laws and regulatory provisions of the State of Louisiana.
2. A Louisiana certified emergency medical technician (EMT) and a Louisiana certified EMT-Paramedic must be in any ambulance responding to dispatches for emergency medical services. A Louisiana certified First Responder may be substituted for the EMT-Basic for the first two years of this ordinance.
3. The ambulance service must submit to reviews, assessments, monitoring and/or inspections of equipment, facilities, vehicle maintenance records, insurance records, response time records, rollover call records and other matters deemed necessary by the Washington Parish Government for the health, safety and welfare of its citizens. The reviews, assessments, monitoring and/or inspections shall be by the Washington Parish Government or its' designee. The expense of reviews, assessments, monitoring and/or inspections will be required to be paid by the ambulance service. The Washington Parish Government or it's designee may establish fees to be assessed to ambulance services to cover these expenses. Inspections will occur annually, but ambulances and facilities are subject to unannounced "spot" inspections at the discretion of the Washington Parish Government or its' designee. Response time and rollover records are to be submitted to Washington Parish Government or its' designee on a quarterly basis but are subject to more frequent inspection.
4. The ambulance service's dispatch center must be located in Washington Parish, Louisiana and must operate 24 hours per day, seven days per week.
5. The ambulance service's medical director must be affiliated with the L.S.U. Bogalusa Community Medical Center or Riverside Medical Center.
6. Each ambulance must contain a Global Positioning System (GPS) unit and a current Washington Parish Emergency Communication District (9-1-1) map.
7. The Washington Parish Government or its' designee will establish the geographical areas to be assigned to the ambulance services or method of rotation of calls in its' sole discretion.

8. Providers of this service are required to respond to 9-1-1 calls for assistance when dispatched to do so, if a staffed equipped ambulance is available by the provider; unless the crew or patient safety issues are present to make such response unsafe.
9. Other requirements may be imposed in the future by the Washington Parish Government and the designee may establish additional requirements, regulations and guidelines to implement the intent and purpose of this ordinance, which requirements, regulations and guidelines may be established by resolution as authorized by LA R.S. 33:4791.1B.
10. The designee may be a division of the Washington Parish Government, an employee of the Washington Parish Government, or other entity or individual. The initial designee shall be the Washington Parish Office of Homeland Security and Emergency Preparedness. The Washington Parish Government may name future designees by resolution or authorize the President to name any future designee.
11. Upon recommendation of the designee, an ambulance service may be removed from the 9-1-1 or other emergency communications dispatch by resolution of the Washington Parish Council.
12. Ambulance services that commence doing business in Washington Parish after the effective date of this ordinance that desire to be included in the provision of emergency medical services to 9-1-1 or other emergency communications dispatch of the Parish of Washington must first obtain a certificate of need from the Washington Parish Council and maybe denied access if the Washington Parish Council does not deem there to be a need. Any ambulance service doing business in the Parish of Washington as of the effective date of this ordinance that effects not to participate must thereafter obtain a certificate of need.

BE IT FURTHER ORDAINED, due to the Louisiana Legislature granting the exclusive authority to regulate ambulance services to local governing authorities, no other parish sub-agency or entity other than municipal governments shall have the authority to contract with ambulance service providers to be allowed access for the provision of emergency medical services to the 9-1-1 or other emergency communications dispatch.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: (7) Nassauer, Johnson, Thomas, Route, Posey, Wheat and Fussell

NAYS: (0)

ABSENT: (0)

ABSTAIN: (0)

The ordinance was declared adopted on the 28th day of February, 2011.

WASHINGTON PARISH COUNCIL

By: Aubrey Posey
Aubrey Posey, Chairman

Delivered to the Parish President on the 1st day of March, 2011.

WASHINGTON PARISH GOVERNMENT

By: Richard N. Thomas, Jr.
Richard N. Thomas, Jr., President

Returned to the Clerk of the Parish Council on the 1st day of March, 2011.

ATTEST:

Sharon Lyons
Sharon Lyons, Clerk of the Parish Council