



# Albemarle County

## Legislation Text

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**File #:** 23-290, **Version:** 1

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**AGENDA DATE:** 6/7/2023

**TITLE:**

EMS Agency Permit for Non-Emergency Medical Transport

**SUBJECT/PROPOSAL/REQUEST:** Public Hearing for approval of EMS Agency permits for non-emergency medical transport

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Henry, Rosenberg, Farley, Eggleston, Puckett, Mezzoni

**PRESENTER (S):** David Puckett

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** In Virginia, Emergency Medical Services (EMS) agencies need to have a permit from the Virginia Department of Health, Office of Emergency Medical Services (OEMS) to operate in the state. OEMS oversees the certification and regulation of ambulance services, as well as the training and certification of emergency medical personnel. Although OEMS is responsible for the licensure of EMS agencies, according to Virginia law (Virginia Code § 32.1-111.14), the Board is authorized to grant permits that allow these agencies to have a base of operations in Albemarle County.

Permits for commercial EMS agencies, as distinguished from volunteer companies in the Coordinated Fire and Rescue System (Coordinated System), are not contemplated in the cost recovery framework addressed in County Code Section 6-502. A permit granted by the Board pursuant to Virginia Code § 32.1-111.14 for private EMS agencies would allow these agencies to provide services to residents of Albemarle County that are not routinely provided by ACFR and the Coordinated System. Further, a permit granted by the Board is required for these agencies in their regulatory compliance with OEMS.

**STRATEGIC PLAN:** Mission - To enhance the well-being and quality of life for all community members through the provision of the of the highest level of public service consistent with the prudent use of public funds.

**DISCUSSION:** In Fall 2022, two private EMS agencies reached out to staff to inquire about obtaining a permit so that they might station ambulances in Albemarle County to provide non-emergency transport services in response to calls within the County. Non-emergency medical transport (NEMT) is not response to 911 calls, but rather non-urgent, medically supported transport that is generally pre-scheduled. NEMT services are usually intended for medical appointments or other forms of non-emergent care.

Private ambulance companies are regulated by OEMS and are required to go through the same inspection and permitting process ACFR completes to operate in the state. OEMS sets standards for ambulance equipment and staffing levels and conducts regular inspections of ambulance services to ensure compliance

with these standards. An OEMS license allows EMS agencies to transport patients within Albemarle County, a permit from the Board is only required for agencies who have a base of operations within the County. The County has the authority to revoke an agency's permit at any time if they fail to maintain their good standing with OEMS. OEMS will still provide oversight of private ambulance companies that obtain permits to have a base of operations in Albemarle County. OEMS is the agency responsible for investigating complaints and taking enforcement actions when necessary to protect public health and safety.

ACFR, upon receiving these requests, consulted with the County Attorney's Office to develop a permitting process to allow commercial EMS agencies to operate in the County. Commercial EMS agencies that wish to be permitted in Albemarle County must complete the EMS Agency Permit Application.

The permits for agencies are subject to the following conditions:

- Agency's Virginia OEMS license is current;
- Agency certifies vehicle liability insurance through its application to OEMS; and
- Agency is in good standing with the Virginia SCC; and
- Agency will obtain or maintain a business license with Albemarle County, if required.

The following applications have been received, reviewed, and processed by ACFR for the operation of NEMT services:

- Delta Response Team
- Kiwi Emergency Medical Services

**BUDGET IMPACT:** Issuing permits for these agencies to provide non-emergency medical transport services will have no budget impact, as ACFR does not provide these services.

**RECOMMENDATION:**

Staff recommends that, after the public hearing, the Board issues permits to allow Delta Response Team and Kiwi Emergency Medical Services to provide non-emergency medical transport services within the County.

**ATTACHMENTS:**

- A - Resolution to Grant Commercial EMS Permit: Delta Response Team, L.L.C.
- B - Resolution to Grant Commercial EMS Permit: Kiwi Emergency Medical Services, L.L.C.