

1 [Emergency Medical Services Fees.]

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3 **Ordinance amending the San Francisco Health Code by amending Section 901 and**  
4 **adding Section 914.5, and amending San Francisco Business and Tax Regulations**  
5 **Code Section 249.8, to amend definitions, add fees and a Certificate of Participation**  
6 **requirement for facilities that receive patients through ambulance service providers,**  
7 **and make environmental findings.**

8 Note: Additions are *single-underline italics Times New Roman*;  
9 deletions are *strikethrough italics Times New Roman*.  
10 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The Planning Department has determined that the actions contemplated in  
13 this Ordinance are in compliance with the California Environmental Quality Act (California  
14 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of  
15 the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

16 Section 2. The San Francisco Health Code is hereby amended by amending Section  
17 901 and adding Section 914.5, and amending San Francisco Business and Tax Regulations  
18 Code Section 249.8, to read as follows:

19 **SEC. 901. DEFINITIONS.**

20 The following words and phrases when used in this Article have the meanings set forth  
21 herein:

22 ~~(a)(e)~~ "Ambulance" means a vehicle specially constructed, modified, equipped, or  
23 arranged to accommodate a ~~gurneystretcher~~ and operated commercially for the purpose of  
24 ~~medicalurgent~~ transportation of sick, injured, convalescent, infirm, or otherwise incapacitated  
25 persons. *As used herein, urgent transportation means transporting by ambulance of a person (1)*

1 ~~requiring immediate measures to prevent loss of life or worsening of a traumatic injury or illness, or~~  
2 ~~(2) having sudden need of medical attention.~~

3 (b) "Ambulance Service Provider" means a person who furnishes or offers to furnish  
4 emergency medical services using an ambulance.

5 (c)(h) "Certificate of Operation" means a document ~~that shall be~~  
6 ~~issued by the Director to a person who qualifies to operate an ambulance or routine medical~~  
7 ~~transport vehicle service in the City and County of San Francisco.~~

8 (d) "Certificate of Participation" means a document that the Director issues to a Receiving  
9 Hospital or STEMI Center to authorize the facility to receive patients through Ambulance Service  
10 Providers.

11 (e)(a) "City" means the City and County of San Francisco.

12 (f)(b) "Color scheme" means a particular design, consisting of appliances, colors,  
13 figures and letters, or any combination thereof, assigned to a particular person for application  
14 to the ambulance or ambulances, or to routine medical transport vehicle or vehicles  
15 authorized to be operated by such person, for purposes of identification and distinction.

16 (g) "Department," unless otherwise indicated, means the Department of Public  
17 Health of the City ~~and County of San Francisco.~~

18 (h)(e) "Director" means the Director of the Department, or the Medical Director of the EMS  
19 Agency, if required by State law, Health Care Services, or his or her ~~designated agents or~~  
20 ~~representatives, of City.~~

21 (i) "EMS Agency" means the City's Emergency Medical Services Agency, which is  
22 designated as the local EMS Agency under California Health and Safety Code Section 1797.200.

23 (j) "Facility" means any place or building that is organized, maintained, and operated for  
24 the diagnosis, care, prevention, and treatment of human illness, physical or mental, including  
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1 convalescence and rehabilitation and including care during and after pregnancy, or for any one or  
2 more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay  
3 or longer.

4 (k) "Hospital" means an acute care facility licensed under California Health and Safety  
5 Code, Chapter 2 (commencing with Section 1250) of Division 2, with a permit for basic emergency  
6 service or an out-of-state acute care hospital which substantially meets the State requirements as  
7 determined by the local EMS agency that is using the hospital in the emergency medical services  
8 system, and is licensed in the State.

9 (l)(j) "Operator" means a person to whom a Certificate of Operation and permit or  
10 permits have been issued to operate for purposes of operating an ambulance or routine medical  
11 transport vehicle service.

12 (m)(i) "Permit" means a permit which shall be issued by the Director for an ambulance  
13 or routine medical transport vehicle conforming to the requirements of this Article that which is  
14 owned or controlled by a person holding or qualifying for a Certificate of Operation pursuant to  
15 this Article.

16 (n)(d) "Person" means and includes an individual, a proprietorship, firm, partnership,  
17 joint venture, syndicate, business trust, company, corporation, association, committee,  
18 governmental agency, or any other legal entity.

19 (o) "Receiving Hospital" means a licensed general acute care hospital certified by the EMS  
20 Agency to receive patients through Ambulance Service Providers.

21 (p) "Regulation" means any rules, regulations, policies, procedures or protocols  
22 promulgated by the Director, the State, or under Federal law regarding emergency medical services.

23 (f) "Routine medical transport vehicle" means a vehicle specifically constructed, modified,  
24 equipped, or arranged to accommodate a stretcher and operated commercially for the purpose of

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1 ~~transporting sick, injured, convalescent, infirm, or otherwise incapacitated persons not requiring~~  
2 ~~urgent transportation.~~

3 (q) "STEMI" means ST segment elevation myocardial infarction, a type of heart attack, or  
4 myocardial infarction, that is caused by a prolonged period of blocked blood supply, which affects a  
5 large area of the heart muscle, and causes changes on an electrocardiogram and in the blood levels of  
6 key chemical markers.

7 (r) "STEMI Center" means a facility designated by the EMS Agency to receive ambulances  
8 and treat patients with STEMI.

9 **SEC. 914.5. AMBULANCE DESTINATION FACILITIES.**

10 (a) **Certificate of Participation Required.** No Receiving Hospital or STEMI Center shall  
11 receive patients through Ambulance Service Providers without obtaining a Certificate of Participation  
12 from the EMS Agency. Any person seeking to obtain a Certificate of Participation must apply on forms  
13 provided by the Director, submit all necessary information, pay all applicable fees under San  
14 Francisco Business and Professions Code Section 249.8, and allow inspections required by the EMS  
15 Agency. Failure to obtain a Certificate of Participation shall preclude a person from receiving patients  
16 through an Ambulance Service Provider.

17 (b) **Penalties.** Following notice and a hearing, the Director may impose fines up to \$1,000  
18 per violation, per day, for each day a violation is committed or permitted to continue, or revoke or  
19 suspend a Certificate of Participation if the Director finds that any person violated this Article,  
20 regulations issued by the Director under this Article, or any applicable local, State or Federal laws.

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22 Section 2. The San Francisco Business and Tax Regulations Code is hereby amended  
23 by amending Section 249.8 to read as follows:

24 **SEC. 249.8. EMERGENCY MEDICAL SERVICES. PRIVATE AMBULANCES.**

1           (a) Every person, firm or corporation engaged in operating a private ambulance that  
2 requires a *Certificate of Operation permit* from the Health Department shall pay an initial  
3 *ambulance provider permit* application fee of \$10,000 at the time of filing the initial application,  
4 *and an annual renewal fee of \$5,000 to the City Treasurer.*

5           (b) Every person, firm or corporation holding a *Certificate of Operation* must also pay ~~as~~  
6 ~~well as~~ an annual *ambulance permit* license fee of ~~\$1,600~~1,400 for each vehicle to the *City*  
7 *Treasurer* ~~Tax Collector~~. ~~The annual license fees prescribed by this Section are due and payable on an~~  
8 ~~annual basis.~~

9           (c) As authorized by Title 22 of the California Code of Regulations, the following fees are  
10 *due and payable to the City Treasurer by every person, firm or corporation applying for and renewing*  
11 *the certification for an Emergency Medical Services ("EMS") Training Program:*

12           (1) *EMS Training Program Initial Application: \$1,775 for a Paramedic Program,*  
13 *\$1,185 for an Emergency Medical Technician ("EMT") Program, and \$595 for a Continuing Education*  
14 *Program.*

15           (2) *EMS Training Program Renewal, due every four years from the time of the last*  
16 *renewal: \$890 for a Paramedic Program, \$650 for an EMT Program, and \$360 for a Continuing*  
17 *Education Program.*

18           (d) As authorized by Title 22 of the California Code of Regulations and Section 1797.212 of the  
19 *California Health and Safety Code, the following fees are due and payable to the EMS Agency of the*  
20 *Department of Public Health by persons applying for and renewing EMT Certificates:*

21           (1) *EMT Certificate, not including EMT-Paramedic: \$34 due every two years.*

22           (2) *EMT-Paramedic Accreditation: \$31 for the initial application only.*

23           (e) As authorized by Sections 1798, 1798.2, and 1798.164 of the California Health and  
24 *Safety Code, the following fees are due and payable annually in advance to the City Treasurer by the*  
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1 following facilities (as defined in Section 901 of the San Francisco Health Code) that receive patients  
2 through Ambulance Service Providers:

3 (1) Receiving Hospital: \$10,719.

4 (2) STEMI (ST segment elevation myocardial infarction) Heart Attack Center:  
5 \$13,310.

6 (f) The annual license fees prescribed by this Section are due and payable on an annual  
7 basis. The fees in this section shall be retroactive and effective as of May 1, 2009.

8 (g) Beginning with fiscal year 2009-2010 and annually thereafter, the fees set forth in this  
9 section may be adjusted each year, without further action by the Board of Supervisors, as set forth in  
10 this subsection. Not later than April 1, the Director shall report to the Controller the revenues  
11 generated by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as well as  
12 any other information that the Controller determines appropriate to the performance of the duties set  
13 forth in this Article. Not later than May 15, the Controller shall determine whether the current fees  
14 have produced or are projected to produce revenues sufficient to support the costs of providing the  
15 services for which the fee is assessed and that the fees will not produce revenue that is significantly  
16 more than the costs of providing the services for which the fee is assessed. The Controller shall, if  
17 necessary, adjust the fees upward or downward for the upcoming fiscal year as appropriate to ensure  
18 that the program recovers the costs of operation without producing revenue that is significantly more  
19 than such costs. The adjusted rates shall become operative on July 1.

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21 APPROVED AS TO FORM:  
22 DENNIS J. HERRERA, City Attorney

23 By: \_\_\_\_\_  
24 Cecilia T. Mangoba  
25 Deputy City Attorney