Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

	AGEND	AITEM	SUMMARY		
Meeting Date: Se	ptember 1, 2020	[]	Consent Ordinance	[X] []	Regular Public Hearing
Department: Submitted By: Submitted For:					
	l.	EXEC	JTIVE BRIEF		

Motion and Title: Staff recommends motion to:

- A) Find that extraordinary circumstances exist as defined in the Palm Beach County Code Chapter 13, Article II – Emergency Medical Services Ordinance (the "EMS Ordinance") as described in sections 13-24(f); and
- B) Extend the current secondary service provider COPCNs for American Medical Response and Medic Ambulance Service for an initial period of six (6) months; and
- C) Delegate authority to the County Administrator to further extend the renewal of the two referenced COPCNs, for one additional six (6) month period; and
- D) Approve issuance of public notice for the secondary service provider COPCN application period no earlier than 120 days and no later than 90 days prior to the expiration date of the extended term(s) of the secondary service provider COPCNs.

Summary: Pursuant to the EMS Ordinance, the County's secondary service providers are issued a COPCN every six (6) years for a six-year term with applications for new services to be processed based on the expiration of the term of the COPCNs. The two current secondary service provider six (6) year COPCNs expire on December 31, 2020. Palm Beach County is currently under a local state of an emergency due to the Coronavirus (COVID-19) pandemic, which poses significant, imminent, dangerous and exigent threats to the health, safety, and welfare of Palm Beach County. In view of the COVID- 19 emergency and continuing threat to the public health, safety and welfare, the stress on the entire system, and excessive workload surrounding the COVID-19 pandemic, staff believe that extraordinary circumstances exist to warrant extending the current secondary service providers' COPCNs for an initial period of six months, with one additional six (6) month renewal to be approved by the County Administrator. Pursuant to Section 13-24 of the EMS Ordinance, upon a finding of extraordinary circumstances the Board may, at any time, grant an extension and/or modification of an existing COPCN for a period of up to six (6) months, which may be renewed. Pursuant to Section 13-22 of the EMS Ordinance, COPCN's public notice of the application period shall be given no earlier than one hundred twenty (120) days and no later than ninety (90) days prior to the expiration date of the COPCNs issued. Therefore, extending the term of the current secondary service provider COPCNs also results in suspending the application timeframes for processing new and renewal COPCNs by the corresponding amount of time. The County Administrator has authority to enter an emergency order suspending the application process pursuant to Chapter 252, Florida Statutes, Section 9-35 of the Palm Beach County Code, and pursuant to Section 13-30 of the EMS Ordinance, which authorizes the County Administrator to take such actions as are necessary to address an exigent emergency situation. Therefore, staff proposes an initial six (6) month extension of the COPCNs with one renewal period of an additional six (6) months to be approved by the County Administrator if necessary. The application process for new COPCNs will also remain suspended during the extended term of the COPCNs and applications will commence prior to the expiration of the extended COPCNs with time for regular application processing as contemplated in the ordinance. Countywide (LDC)

Background and Policy Issues on Page 3:

Attachments:

1) PowerPoint Presentation

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Recommended By: _	Slemoha	821/20
	Department Director	Ďate
Approved By:	CA-	8/27/20
	Deputy/County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2020	<u>2021</u>	2022	<u>2023</u>	<u>2024</u>			
Personal Services Operating Costs Capital Expenditures External Revenues Program Income (County)	·							
In-Kind Match (County)								
Net Fiscal Impact	0							
# ADDITIONAL FTE								
POSITIONS (Cumulative)	0	0	0	0	0			
Is Item Included In Current Budget? Yes No Does this item include the use of federal funds? Yes No Budget Account Exp No: Fund Dept Unit Obj Prog Rev No: Fund Dept Unit Rev Prog								
B. Recommended Sources of Funds/Summary of Fiscal Impact: There is no fiscal impact associated with this agenda item.								
C. Departmental Fiscal Re	view:	BUD	801/00)				
III. REVIEW COMMENTS								
A. OFMB Fiscal and/or Contract Dev. and Control Comments:								
B. Legal Sufficiency:	elyrlaw	48/24	And J., Contract Dev 8-25	And Contro	PD5(2			
Assistant County	Attorney							
/ C. Other Department Revie	W:							
Department Di	rector							

This summary is not to be used as a basis for payment.

Background and Policy Issues continue from Page 1:

Pursuant to Chapter 401 Florida Statutes, Palm Beach County's Emergency Medical Services Ordinance promotes the health, safety, and welfare of the residents of Palm Beach County in need of emergency medical services by establishing standards for issuing COPCN's for Primary, Secondary, and Special Secondary Service Providers. A secondary service provider means an agency designated by the Board to provide secondary advanced life support transport and basic life support inter-facility transfer services. Palm Beach County declared a local State of Emergency due to the Coronavirus pandemic, which has been renewed in 7-day increments since March 13, 2020. Palm Beach County must take all necessary coordination, preparation, and response activities necessitated the rapidly expanding COVID-19 virus emergency. The local emergency is continuing, therefore, it is necessary to continue the local state of emergency. Critical staff involved with the COPCN process have been responding to the pandemic since March 2020.

2020 Secondary Service Provider COPCN Extension

Presented by Department of Public Safety:

Stephanie Sejnoha Department Director

Bill Johnson, RN Director Emergency Management



Emergency Medical Services

- Pursuant to Florida Statutes, Chapter 401, in order for the State to license an applicant to provide advanced life support (ALS) or basic life support (BLS) services, an applicant must obtain a Certificate of Public Convenience and Necessity (COPCN) from the County in which the applicant will operate. That county may adopt ordinances that provide reasonable standards for COPCNs in accordance with State guidelines.
- Palm Beach County's Emergency Medical Services Ordinance promotes the health, safety, and welfare of the residents of Palm Beach County in need of emergency medical services by establishing standards for issuing COPCNs for Primary, Secondary, and Special Secondary Service Providers.

Certificate of Public Convenience and Necessity (COPCN)

- COPCN a certificate with endorsements issued by the Board of County Commissioners, deeming it to be in the public convenience and necessity for the named Advanced Life Support (ALS) provider to operate within confines of the County, as authorized in Florida Statutes, Section 401.25.
- Types of COPCNs
 - Primary Expires December 2022
 - Secondary Expires December 2020
 - Special Secondary Expires when the contract with the community association expires.

Secondary Service Providers

- Secondary Service Provider an agency designated by the Board to provide secondary ALS transport and BLS inter-facility transfer services.
- Applications for Secondary Service Provider COPCNs are issued every six years for a six year term.
- Current Secondary Service Provider COPCNs expire on December 31, 2020.

AMR (American Medical Response)

Medics Ambulance Service

COPCN Timeline

- Pursuant to Section 13-22 of the EMS Ordinance, COPCN's public notice of the application period shall be given no earlier than one hundred twenty (120) days and no later than ninety (90) days prior to the expiration date of the COPCNs issued.
- Estimated public notice date would be September 4, 2020 through September 13, 2020.

Extraordinary Circumstances

- Pursuant to Section 13-24 of the EMS Ordinance, upon a finding of extraordinary circumstances the Board may, at any time, grant an extension and/or modification of an existing COPCN for a period of up to six (6) months, which may be renewed.
- PBC has been under a local state of an emergency since March 13, 2020 due to the COVID-19 pandemic.
- COVID-19 as well as severe weather continues to be a threat to the public health, safety and welfare of PBC and has put additional stress on the entire system and there's been excessive workload as a result of responding to these events.
- Therefore, staff believes that extraordinary circumstances exist to warrant an extension of 6 months to existing COPCNs.

Staff proposals

- Staff requests to extend AMR and Medics Ambulance Service secondary service provider COPCNs for 6 months until June 30, 2021 with one renewal period of an additional six (6) months to be approved by the County Administrator if necessary.
- Application process for new COPCNs will also remain suspended during the extended term of the current COPCNs.
- Applications will commence prior to the expiration of the extended COPCNs with time for regular application processing as contemplated in the ordinance.
- EMS Advisory Council reviewed staff's proposal and substituted the motion of a 6 month with a 3 month extension.