



1           **(5) Pre-arranged non-emergency transfers by state licensed ambulance service**  
2 **providers.**

3           **SECTION 2.**

4           LCC 7.827 is amended to read:

5           **7.827 Assignment of Ambulance Service Areas**

6           (1) The Board of Commissioners shall have the exclusive authority to assign each  
7 ambulance service area within Lincoln County in accordance with this section. **The Board**  
8 **retains authority to extend any and all timeframes contained in this section by Board**  
9 **order.**

10          (2) The term for each assignment shall be for a period of five years, except as  
11 otherwise provided by order of the Board of Commissioners. Terms begin on July 1 and end  
12 on June 30. (3)(a) On or before January 31 of the year in which an ambulance service area  
13 assignment is set to expire, the director shall mail a written notice to each currently assigned  
14 ambulance service provider for each Lincoln County ambulance service area set to expire  
15 that year. The notice shall remind the provider of the expiration of the ambulance service  
16 area term, and also inform the provider of the deadline for submitting an application for  
17 assignment of the ambulance service area.

18          (b) The director shall also mail notice of the expiring ambulance service area  
19 assignment, and deadline for submitting applications for new assignment, to any person  
20 requesting such notice. The director may also mail such notice to any person who the

1 director believes might desire to make application for assignment of a Lincoln County  
2 ambulance service area.

3 (4) The deadline for submission of applications for assignment of a Lincoln County  
4 ambulance service area is March 1 of the year in which the ambulance service area  
5 assignment term is set to expire. Applications must be received in the office of the director  
6 on or before 5 p.m. on the deadline date, or the next business day if that date falls on a  
7 weekend or legal holiday. Each applicant shall submit the following number of copies of  
8 their application: Four copies for the director, and one copy for each of the three  
9 Commissioners.

10 (5) An application for assignment of an ambulance service area shall contain the  
11 following information:

12 (a) The name and address of the person applying for the assignment.

13 (b) The ambulance service area or areas the person desires to service, and the  
14 location from which ambulance services will be provided.

15 (c) A list of personnel to be used in providing ambulance service, and their current  
16 emergency medical technician certificate numbers and certification levels.

17 (d) A list of vehicles to be used in providing ambulance services, including year,  
18 make and model, and a statement that each vehicle will be certified as compliant by the State  
19 of Oregon.

1 (e) Sufficient information to allow for review of the application in light of applicable  
2 state law, state regulations, the Lincoln County ASA Ordinance, and the Lincoln County  
3 Ambulance Service Area Plan.

4 (f) Such additional information deemed necessary by the director, the ASA Advisory  
5 Committee, or the Board of Commissioners.

6 (g) Such additional information that the applicant desires to be presented to the ASA  
7 Advisory Committee or the Board of Commissioners. **Examples may include, but are not**  
8 **limited to:**

9 (A) **Improved ambulance response times and the quality and level of service to**  
10 **the ASA without adversely affecting the existing first response system.**

11 (B) **A demonstration that call volume is sufficient to financially justify the**  
12 **service to be provided, or otherwise demonstrate financial soundness.**

13 (C) **Experience and past history in providing ambulance service.**

14 (D) **Does not jeopardize the financial ability of other ambulance service**  
15 **providers to provide efficient service to the remainder of the county.**

16 (6)(a) If more than one application for assignment of an ambulance service area has  
17 been submitted in accordance with this section, the Lincoln County Board of Commissioners  
18 may appoint an ASA Advisory Committee consisting of not less than three and not more  
19 than nine members, for the purpose of reviewing competing applications for assignment of  
20 ambulance service areas. The director and a representative from County Counsel's office  
21 shall serve as staff to the committee. To the extent practicable, the Board of Commissioners

1 shall appoint committee members who have experience, or who are familiar, with the  
2 provision of emergency medical services. However, no member of the ASA Advisory  
3 Committee shall be a current or former employee, agent, physician advisor, or family  
4 member of a current or former employee, agent, or physician advisor of any entity that holds  
5 an assignment of a Lincoln County ambulance service area or that will be applying for  
6 assignment of a Lincoln County ambulance service area.

7 (b) If an ASA Advisory Committee has been appointed by the Board of  
8 Commissioners in accordance with this subsection, in March or April of that year the  
9 committee shall hold a public hearing for the purpose of reviewing and discussing the  
10 applications received for assignment of ambulance service areas in which more than one  
11 application was received. At least 7 days prior to the public hearing, the director shall mail  
12 notice of the hearing to each applicant. At the meeting, the committee shall first appoint a  
13 chairperson. The committee shall then proceed to allow testimony from applicants and  
14 members of the public, and allow questions of witnesses as posed by members of the  
15 committee and the committee's staff. The chairperson may set reasonable time limits on  
16 testimony from applicants and individuals. If necessary, the committee may adjourn and  
17 continue the public hearing to another date and time, and shall announce that date and time  
18 prior to adjournment. At the conclusion of testimony, the committee shall deliberate on the  
19 matter, and shall make an affirmative recommendation to the Board of Commissioners as to  
20 assignment of each contested ambulance service area. The committee or its individual  
21 members may, but are not required, to provide the Board with an explanation for their

Page 5 -- ORDINANCE # 413

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.

1 recommendation as to each assignment. Committee staff shall report the recommendation of  
2 the committee to the Board. In making a recommendation, the committee shall consider:

3 (A) Whether the application contains all elements required by subsection (5) of this  
4 section.

5 (B) Whether the application meets the requirements of state law and state regulation  
6 relating to the provision of ambulance service.

7 (C) The past experience of the applicant in providing emergency medical services.

8 (D) The past quality of emergency service provided by the applicant.

9 (E) The proposed quality of service to be provided by the applicant.

10 (F) The rates proposed to initially be charged for services by the applicant.

11 (G) Any other criteria which the committee considers important in making its  
12 recommendation to the Board.

13 (7) In May of the year in which one or more ambulance service area assignments are  
14 set to expire, the Board of Commissioners shall place that matter on their regular public  
15 meeting agenda. At the public meeting, the Board may, but is not required, to allow  
16 testimony from applicants and members of the public, and may ask questions of interested  
17 parties. The Board shall then deliberate on the matter, and may continue a decision to a  
18 subsequent Board meeting pending further deliberation or submission of additional  
19 information by one or more applicants. In making a decision on assignment of one or more  
20 ambulance service areas, the Board may consider:

Page 6 -- ORDINANCE # 413

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1 (a) Any recommendation of the ASA Advisory Committee, and the reasons given for  
2 that recommendation, if any.

3 (b) Whether the application contains all elements required by subsection (5) of this  
4 section.

5 (c) Whether the application meets the requirements of state law and state regulation  
6 relating to the provision of ambulance service.

7 (d) The past experience of the applicant.

8 (e) The past quality of service provided by the applicant.

9 (f) The proposed quality of service to be provided by the applicant.

10 (g) The rates proposed to initially be charged for services by the applicant.

11 (h) Any other criteria which the Board considers important in making its decision.

12 **SECTION 3.**

13 Section 4 of this Ordinance is added to and made a part of LCC Chapter 7, as indicated.

14 **SECTION 4.**

15 **7.833 Insurance and Performance Bond**

16 **An ambulance service provider assigned one or more ambulance service areas in**  
17 **accordance with LCC 7.805 to 7.855 shall:**

18 **(1) Maintain financial responsibility in at least the minimum types and amounts**  
19 **as required under ORS 682.105 to 682.109.**

20 **////**

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1           **(2) Execute and deliver to the county a good and sufficient bond in a form and**  
2           **amount approved by the director as adequate to ensure the faithful performance of**  
3           **ambulance service in each of the assigned ambulance service areas. The bond must be**  
4           **in a form that is immediately redeemable by the county in the event the service**  
5           **provider vacates the assigned ambulance service area for any reason without at least**  
6           **120 days advance written notice to the county. In establishing bond amounts for**  
7           **ambulance service areas under this subsection, the director need not set the same bond**  
8           **amount for each ambulance service area, but shall establish a bond amount for each**  
9           **ambulance service area that is sufficient in the opinion of the director to ensure the**  
10           **provision of ambulance service in that ambulance service area in the event of vacation**  
11           **without 120 days advance notice.**

12       *////*

13       *////*

14       *////*

15       *////*

16       *////*

17       *////*

18       *////*

19       *////*

20       *////*

21       *////*

Page 8 -- ORDINANCE # 413

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1            SECTION 5.

2            (1) This Ordinance being necessary for the immediate preservation of the public peace,  
3            health and safety, an emergency is declared to exist and this Ordinance shall take effect upon  
4            its passage.

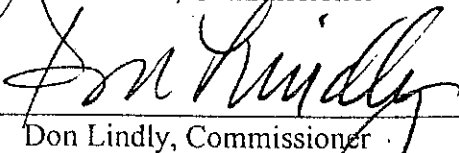
5            (2) Section 4(2) of this Ordinance (LCC 7.833(2)) does not become operative until  
6            January 1, 2003.

DATED this 19<sup>th</sup> day of December, 2001.

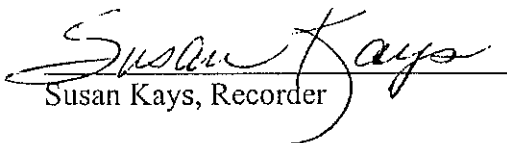
LINCOLN COUNTY BOARD OF COMMISSIONERS

  
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Karen L. Gerttula, Chair

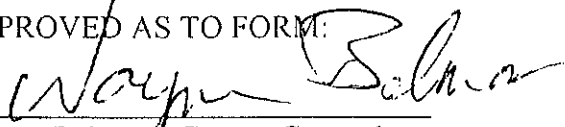
  
\_\_\_\_\_  
Jean Cowan, Commissioner

  
\_\_\_\_\_  
Don Lindly, Commissioner

ATTESTED TO:

  
\_\_\_\_\_  
Susan Kays, Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wayne Belmont, County Counsel

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