

PIKE COUNTY, MISSISSIPPI ORDINANCE FOR AMBULANCE SERVICE

SECTION 1 STATEMENT OF PURPOSE AND INTENT

Pike County, Mississippi (the "County"), has elected to adopt the following Ordinance for the County in order to obtain for its citizens in the following advantages: (1) access to emergency medical services of superior quality, quantity, and economic stability; (2) economies of scale and cost containment; and (3) access to disaster response capabilities superior to those which would otherwise be available.

SECTION 2 DEFINITIONS

2.01 **ADVANCED LIFE SUPPORT (OR ALS) AMBULANCE SERVICE** - Advanced Life Support Ambulance Service means the level of service attained when (i) the Ambulance Service Provider is licensed as an advanced life support ambulance service by the Mississippi State Department of Health and (ii) the Ambulance Service Provider's vehicles are permitted as advanced life support vehicles by the Mississippi State Department of Health and each Ambulance is occupied by at least one person certified as an EMT-Paramedic by the Mississippi State Department of Health, or by one person licensed as a pre-hospital registered nurse by the Mississippi State Board of Nursing or one person licensed as a physician by the Mississippi State Department of Health.

2.02 **AMBULANCE** - Ambulance means any vehicle which is designated and equipped to transfer ill or injured persons in a reclining position to or from health care facilities.

2.03 **AMBULANCE SERVICE PROVIDER** - Ambulance Service Provider means a person or organization, governmental or private, which operates one or more Ambulances and provides ALS Ambulance Service to the County in response to Emergency Transport Calls and Routine/Non emergency Transport Calls within the County.

2.04 **EMERGENCY TRANSPORT CALL** - Emergency Transport Call means a call for ambulance service that is presumptively classified, in accordance with the current edition of "Emergency Medical Services Dispatcher: National Standard Curriculum" as developed by the U.S. Department of Transportation, National Highway Traffic Safety Administration, as an emergency call requiring the least amount of time practicably attainable to respond to such call.

2.05 **EMERGENCY MEDICAL CONDITION** - Emergency Medical Condition means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in - (i) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy, (ii) serious

impairment to bodily functions, or (iii) serious dysfunction of any bodily organ or part.

2.06 **EMERGENCY MEDICAL SERVICES** - Emergency Medical Services ("EMS") means the following pre-hospital and inter-hospital services:

a) **Access and Coordination** - The answering and processing of telephone requests from the public for Ambulance or First Responder Services, including EMS dispatching, emergency and routine; the providing of medical pre-arrival instructions to callers by telephone; but excluding the process of 911 complaint-taking when the caller is immediately transferred to the EMS Control Center;

b) **First Responder Services** - Those emergency services, excluding transportation, which are performed by a First Responder;

c) **Medical Transportation** - Ambulance services, both emergency and routine, including Patient assessment, transportation, and medical procedures performed on scene, in route, during inter-facility transport, or at an emergency receiving facility when performed at the request of the receiving physician;

d) **On-line Medical Direction** - Instructions given by a Communications Resource facility as defined in the Rules and Regulations issued by the Division of EMS, Mississippi State Department of Health, to First Responders or ambulance personnel at the scene of an emergency, while in route to a hospital, or during an inter-facility patient transfer. On-line Medical Direction in the County shall be sanctioned and coordinated by the EMS Lead Agency; and

e) **Off-line Medical Director** - The off-line Medical Director is the administrative medical director appointed by the EMS Lead Agency. His duties are as defined in the Mississippi Law Rules and Regulations published by the State Board of Health.

2.07 **EMS CONTROL CENTER** - EMS Control Center is the facility operated under the Interlocal Governmental agreement to consolidate emergency communications in Pike County, Mississippi, dated January 22, 2004.

2.08 **EMS LEAD AGENCY** - The EMS Lead Agency is the organization delegated the responsibility for coordinating all components and care aspects for the entire EMS system in the County. It will have the ultimate responsibility of providing this care alone or the ultimate responsibility of providing this care alone or delegating part of this responsibility. It shall further be the responsibility of the EMS Lead Agency to constantly evaluate the response of all EMS support services in area of appropriateness of pre-hospital care and control. The EMS Lead Agency shall also be authorized to develop and implement patient transportation and destination policies and guidelines. It shall sanction EMS continuing

education activities, establish infection control standards for all pre-hospital EMS personnel, direct patient refusal procedures, and other EMS related activities. The EMS Lead Agency is authorized to enter into mutual aid agreements with other EMS, public safety and ancillary support agencies. All communications between the County and the EMS Lead Agency shall take place through the Licensing Officer.

2.09 **FIRST RESPONDER** - First Responder means any person, fire department unit, law enforcement unit, or non-transporting rescue unit capable of providing appropriate First Responder Services, excluding transportation.

2.10 **LICENSING OFFICER** - Licensing Officer means the individual designated and empowered by the County to issue Permits, as defined in this Ordinance, in accordance with policies and procedures governing such issuance as set forth herein, and shall be the liaison officer between the County and Ambulance Service Provider and the EMS Lead Agency.

2.11 **PATIENT** - Patient means an individual who is ill, sick, injured, wounded, or incapacitated, and who is in need, or is at risk of needing, medical care or assessment at the scene of a call and during transportation to or from a health care facility and who is or should be transported in a reclining position.

2.12 **PERMIT** - Permit means any of the permitting documents required to be obtained pursuant to this Ordinance, including the following:

a) **Ambulance Service License - Emergency and Non-emergency** - Ambulance Service Providers responding to Emergency Transport Calls originating in the County shall be required to obtain an Ambulance Service License pursuant to this Ordinance. Ambulance Service Providers responding to Routine/Non-emergency Transport Calls that originate and terminate within the County shall be required to obtain an Ambulance Service License pursuant to this Ordinance.

b) **First Responder Certification** - Certification issued to a First Responder and sanctioned by the EMS Lead Agency pursuant to this Ordinance.

2.13 **ROUTINE/NON-EMERGENCY TRANSPORT CALL** - Routine/Non-emergency Transport Call means a call for ambulance service which is not an Emergency Transport Call.

2.14 **SYSTEM STANDARD OF CARE** - System Standard of Care means the federal, state and local laws, and policies, rules, regulations and protocols of the EMS Lead Agency which establish standards governing all clinical and operational aspects of the EMS system in the County.

2.15 **SYSTEM STATUS CONTROLLER** - System Status Controller ("SSC") shall be an employee of the EMS Lead Agency and a person trained and competent as an EMS dispatcher. The minimum standard of training shall be the current edition of "Emergency Medical Services Dispatcher: National Standard Curriculum" as developed by the U.S. Department of Transportation, National Highway Traffic Safety Administration. The SSC must demonstrate competency in (a) receipt and processing of calls for ambulance service, (b) dispatch and coordination of EMS resources, (c) provision of medical information, and (d) coordination with other public safety services. Only qualified SSC's shall be permitted to work in the EMS control center.

2.16 **SYSTEM STATUS PLAN** - System Status Plan means the plan and protocols for staffing, deployment, and redeployment of Ambulances which is developed and utilized by an Ambulance Service Provider, and which specifies how many Ambulances will be staffed and available within the County each hour of the day, each day of the week, including the locations of available Ambulances (not assigned to calls) within the County, specified separately for each hour of the day, for each day of the week and the remaining number of Ambulances then available in the system, and including protocols for event-driven redeployment of those remaining Ambulances.

SECTION 3 MANDATORY CENTRALIZED EMERGENCY TRANSPORT CALL PROCESSING

3.01 All 911 telephone requests for ambulance services, both emergency and routine/non-emergency, originating within the County shall terminate at the EMS Control Center, where a System Status Controller shall establish the call's classification, determine the Patient's location, and if appropriate, deliver pre-arrival instructions. The System Status Controller shall also determine the need for First Responder Services, alert the First Responder if appropriate, and dispatch the appropriate Ambulance.

3.02 It shall be unlawful for anyone other than the EMS Lead Agency to publish or advertise any telephone number for the purposes of soliciting request for Emergency Transport and Routine/Non-emergency Calls in the County.

3.03 During times of disaster or severe EMS system overload, the EMS Control Center shall, at all times, have full authority to direct the positioning, movements, and run responses of all Ambulances, Ambulance Service Providers, EMS public safety providers, and other EMS personnel in the County until such time as the disaster or system overload has lapsed.

3.04 All call requests processed by the EMS Control Center shall be recorded to facilitate subsequent auditing of the System Status Controller's actions and decisions by the Licensing Officer, and all such recordings shall be safely stored and shall not be erased for a period of six (6) months.

3.05 The County 911 Commission shall be responsible for the installation and maintenance of the 911 equipment in the EMS Control Center. Funds from the 911 surcharge may be used to purchase equipment, provide technical support and training for the EMS Control Center.

SECTION 4 OTHER CALL PROCESSING

All other call requests for ambulance service, Emergency or Routine/Non-emergency, which may be received by parties other than the EMS Lead Agency, shall be transferred immediately to the EMS Control Center which will determine the appropriate EMS response.

SECTION 5 INSURANCE REQUIREMENTS

5.01 Each Ambulance Service Provider shall keep in full force and effect a policy or policies of public liability and property damage insurance issued by an insurance company authorized to do business in the State of Mississippi, with coverage provisions insuring the public from any loss or damages that may arise to any person or property by reason of the negligent operation by such Ambulance Service Provider, and providing amounts of recovery in limits of not less than the following sums:

- a) For the damages arising out of bodily injury to or death of one or more persons in any one accident, not less than \$1,000,000.
- b) For any injury to or destruction of property in any one accident, not less than \$1,000,000.
- c) For any combination of damages not to exceed \$1,000,000.

5.02 Each Ambulance Service Provider shall keep in full force and effect a general comprehensive liability and professional liability policy or policies issued by an insurance company authorized to do business in the State of Mississippi, with coverage provisions insuring the public from any loss or damage that may arise to any person or property by reason of the negligent actions of the person or property by reason of the negligent actions of the Ambulance Service Provider or any of its employees, and providing that the amount of recovery shall be in limits of not less than \$1,000,000, with annual aggregate of not less than \$1,000,000.

5.03 Insurance companies providing this coverage shall be licensed to operate in the State of Mississippi.

5.04 Cancellation or material alteration of any required insurance policy or coverage shall result in the automatic revocation of any Ambulance Service License issued

hereunder, and the Ambulance Service Provider shall thereupon cease and desist from further ambulance service operations in the County.

SECTION 6 CERTIFICATE OF NECESSITY FOR AMBULANCE SERVICE LICENSE

6.01 Any entity desiring to obtain an Ambulance Service License to operate in the County shall first make an application for a Certificate of Necessity for an all ALS Ambulance Service License to the Licensing Officer, or his designee.

6.02 The criteria for consideration of an application shall be as follows, and applications for such Certificate of Necessity shall include the following information, verified under oath:

a) **NAME**: The name and address of the applicant seeking the Certificate of Necessity, and, in the event that the applicant is a corporation, a certified copy of the articles of incorporation.

b) **EQUIPMENT & AMBULANCES**: Applicant must have equipment and ambulances adequate to comply with the System Standard of Care and also adequate to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Applicant shall provide the make, type, year of manufacture, serial number, license tag number, and equipment therein for each Ambulance owned or operated or proposed to be operated by the applicant.

c) **PERSONNEL**: Applicant must employ personnel who are qualified by training, experience and work history to comply with the System Standard of Care and to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Personnel must meet federal, state and local certification requirements. Principals and employees of an applicant shall be subject to criminal record checks and background investigations.

d) **APPLICANT'S EMS HISTORY**: Complete listing of the applicant's relevant EMS experience. A favorable recommendation on an application shall not be made unless this history shows that the applicant is able to comply with the System Standard of Care and fully, safely and reliably perform the services for which the Certificate of Necessity is requested.

e) **PLANS**: (i) A proforma internal medical quality assurance plan, which shall describe applicants' medical quality assurance program, demonstrating a reasonable probability that the applicant, if licensed, will deliver medical care meeting the System Standard for Care, including, without limitation, the clinical quality for ambulance services set forth in Section 12 hereof, (ii) A proforma System Status Plan demonstrating that all Ambulances operating within the County will be equipped and staffed to operate in

accordance with the System Standard of Care, including without limitation, the clinical quality for ambulance services set forth in Section 12 hereof.

f) **PROOF OF FINANCIAL CAPABILITY**: Financial statements and a statement as to whether there are any unsatisfied judgments of record against such applicant, and if so, the style of all actions and the amounts of all judgments unsatisfied. No Certificate of Necessity shall be granted to any applicant unless it is financially stable and financially capable of complying with the System Standard of Care and providing competent services for the entire period for which a license is requested and for the full scope of services proposed to be authorized. An applicant's failure to have paid any federal, state or local tax, including business license tax and personal property tax, shall be evidence of a lack of financial capability.

g) **ACCEPTANCE OF TERMS AND CONDITIONS**: A statement of compliance with all applicable federal, state and local laws, rules and regulations.

h) **PROOF OF PUBLIC NECESSITY FOR SERVICES**: A statement of the public necessity for the service to be provided. No favorable recommendation shall be made for a Certificate of Necessity shall be issued, unless the applicant proves by clear and convincing evidence that there is a public necessity for the services which is not being met by the existing Ambulance Service License holders, or which shall not be met within a reasonable period of time by such existing Ambulance Service License holders. The effect of any application on the ability of existing Ambulance Service License holders to continue providing services shall be a factor for consideration.

6.03 No favorable recommendation shall be made, and no Certificate of Necessity shall be granted, unless an applicant meets all the foregoing criteria, without exception. Failure of an applicant to do so shall indicate that the applicant poses an unacceptable degree of risk to the public safety.

6.04 All existing Ambulance Service License holders pursuant to this Ordinance will be given notice of any application for a Certificate of Necessity and such Ambulance Service License holders will have twenty (20) working days from the date of this notice to respond in writing to the Licensing Officer, or his designee, to oppose, object to, or request modification of the application, and to state whether the application, if granted, would negatively affect the ability of existing Ambulance Service License holders to continue providing services.

6.05 The Licensing Officer, or his designee, will make his recommendations in writing to the County Board of Supervisors to grant or deny the application for the Certificate of Necessity. The recommendation, if favorable, shall designate a specific number of Ambulances.

6.06 The Board of Supervisors will vote to grant or deny the application for a Certificate of Necessity after consideration is given to the recommendation by the Licensing Officer, or his designee, and any responses received by existing Ambulance Service License holders. If granted, the Certificate of Necessity shall designate a specific number of Ambulances for which the applicant may seek a permit pursuant to Section 8 hereof.

6.07 Any applicant who is dissatisfied with the decision of the Board of Supervisors shall have the right to a hearing before the Board of Supervisors at a regularly scheduled meeting, if written notice of appeal is filed with the Board of Supervisors within ten (10) days after such decision. All Ambulance Service License holders under this Ordinance shall have an opportunity to be present and to oppose, object to, or request modification of the application. This hearing shall be informal, but the applicant shall have the right to counsel, the right to present evidence and argument in support of the application, and the right to know prior to the hearing the reasons for denial or modification of the request. A written decision on any such appeal shall be mailed to the applicant within ten (10) working days of the hearing.

6.08 No applicant denied a Certificate of Necessity shall make application for a Certificate of Necessity for the same type of Ambulance Service License within one (1) year from final denial by the Board of Supervisors or final denial of appeal thereof.

SECTION 7 AMBULANCE SERVICE LICENSE

7.01 No entity may provide emergency ambulance services originating within the County or routine/non-emergency ambulance service which originates and terminates within the County without (i) first obtaining an Ambulance Service License issued pursuant to this Section 7, or (ii) being sanctioned by the EMS Lead Agency.

7.02 No Ambulance Service License issued pursuant to this Section 7 shall be assignable or transferable by the entity to whom issued. Any transfer of controlling interest or any delegation of responsibility for the management or delivery of ambulance services to another entity by management agreement, subcontract or other arrangement shall be deemed a transfer or assignment.

7.03 An ambulance Service License shall be issued by the Licensing Officer upon presentment of the following:

- a) A Certificate of Necessity issued to the applicant pursuant to Section 6 hereof;
- b) A valid ambulance service license issued by the Mississippi State Department of Health;

c) Evidence of insurance as required by Section 5 herein, including original and duplicate certificates of insurance which shall indicate the types of insurance, the amount of insurance, the expiration dates of all policies carried by the applicant, name the County as an additional named insured, and contain a statement by the issuer issuing the certificate that the policies of insurance listed thereon will not be cancelled or materially altered by said insurer without thirty (30) days prior written notice received by the County; and

d) Evidence of compliance with the clinical quality of ambulance services required by Section 12 hereof.

7.04 Ambulance Service Licenses shall be renewable annually upon continued compliance with this Ordinance.

7.05 No Ambulance Service License required by this Ordinance shall be issued or continued in operation unless the Ambulance Service License holder has paid an annual fee of Fifty Dollars (\$50.00). Such license fee shall become due on the first day of January each year, and shall be in addition to any other license fees or charges established by proper authority and applicable to such Ambulance Service License holder of the Ambulances under its operation and control. The purpose of this license fee is not to raise revenue, but to defray expenses incurred in enforcement of this Ordinance.

7.06 The application for and acceptance of an Ambulance Service License shall comprise an agreement by the Ambulance Service License holder to comply with all federal, state and local laws, rules and regulations and also any subsequent federal, state and local laws, rules and regulations.

SECTION 8 AMBULANCE PERMIT REQUIRED

8.01 No Ambulance Service Provider may provide ambulance services hereunder without first obtaining an Ambulance Permit issued pursuant to the provisions of this Section 8.

8.02 No Ambulance Permit shall be assignable or transferable by the Ambulance Service Provider to which it is issued.

8.03 The Licensing Officer shall issue Ambulance Permits for Ambulances operated by Ambulance Service Providers upon presentment of the following:

- a) An Ambulance Service License issued pursuant to this Ordinance;
- b) For each Ambulance to be permitted, a valid ambulance vehicle permit issued by the Mississippi State Department of Health in compliance with Section 12 hereof;

c) A Certificate of Necessity issued to the applicant pursuant to Section 6 hereof, if such Ambulance Permit is for Ambulances designated in such Certificate of Necessity; and

d) A Certificate of Necessity issued to the applicant pursuant to Section 9 hereof, if such permit is for an additional ambulance authorized by Section 9 hereof.

SECTION 9 CERTIFICATE OF NECESSITY FOR ADDITIONAL AMBULANCE PERMITS

9.01 Any entity issued an Ambulance Service License pursuant to this Ordinance and desiring to obtain Ambulance Permits to operate additional Ambulances shall make an application for a Certificate of Necessity for additional Ambulances to the Licensing Officer, or his designee.

9.02 The criteria for consideration of an application for a Certificate of Necessity for additional Ambulances shall be as follows, and the application for such Certificate of Necessity shall include the following information, verified under oath:

a) **NAME**: The name and address of the applicant seeking the Certificate of Necessity, and, in the event that the applicant is a corporation, a certified copy of its articles of incorporation.

b) **EQUIPMENT & AMBULANCES**: Equipment and Ambulances adequate to comply with the System Standard of Care and also adequate to fully, safely and reliably perform the services for which the Certificate of Necessity is requested. Applicant shall provide the make, type, year of manufacture, serial number, license tag number, and equipment to be carried therein for each Ambulance proposed to be operated by the applicant.

c) **PROOF OF PUBLIC NECESSITY FOR ADDITIONAL AMBULANCES**: A statement of the public necessity for the additional Ambulances to be provided. No favorable recommendation shall be made for a Certificate of Necessity and no Certificate of Necessity shall be issued, unless the applicant proves by clear and convincing evidence that there is a public necessity for the additional Ambulances requested which is not being met by the existing Ambulance Service License holders, or which shall not be met within a reasonable period of time by such existing Ambulance Service License holders to continue providing services shall be a factor for consideration.

9.03 No favorable recommendation shall be made, and no Certificate of Necessity shall be granted, unless an applicant meets all of the foregoing criteria, without exception.

9.04 All existing Ambulance Service License holders will be given notice of the

application for the Certificate of Necessity for additional Ambulances, and such Ambulance Service License holders will have twenty (20) working days from the date of notice to respond in writing to the Licensing Officer, or his designee to oppose, object to, or request modification of the application, and to state whether the application, if granted, would negatively effect the ability of the existing Ambulance Service License holders to continue providing services.

9.05 The Licensing Officer, or his designee, will make a recommendation, in writing, to the County Board of Supervisors to grant or deny the application for the Certificate of Necessity. The recommendation, if favorable, shall designate a specific number of Ambulances.

9.06 The Board of Supervisors will vote to grant or deny the application after consideration is given to the recommendation of the Licensing Officer, or his designee, and any responses received by the existing Ambulance Service License holders. If granted, the Certificate of Necessity shall designate a specific number of Ambulances for which the applicant may seek an Ambulance Permit pursuant to Section 8 hereof.

9.07 Any applicant who is dissatisfied with the decision of the Board of Supervisor's recommendation shall have the right to a hearing before the Board of Supervisors at a regularly scheduled meeting, if written notice of appeal is filed with the Board of Supervisors within ten (10) days after such decision. All Ambulance Service License holders shall have an opportunity to be present and to oppose, object to, or request modification of the application. This hearing shall be informal, but the applicant shall have the right to counsel, the right to present evidence and argument in support of the application, and the right to know prior to the hearing the reasons for denial or modification of the request. A written decision on any such appeal shall be mailed to the applicant within ten (10) working days of the hearing.

SECTION 10 MAINTENANCE OF AMBULANCES; INSPECTION

10.01 All Ambulances shall be maintained in compliance with applicable federal, state and local laws, rules and regulations.

10.02 Each Ambulance Service Provider must inspect each Ambulance every day to ascertain cleanliness and mechanical and operational worthiness for transporting Patients. Each Ambulance shall be subject to inspection at all times by the Licensing Officer. Any Ambulance found, upon inspection, to be unsafe for ambulance services, or not to be in compliance with any federal, state and local laws, rules and regulations, shall have such repairs and alterations made as may be required, and no Ambulance Service Provider shall operate or cause to be operated any such Ambulances until all such repairs and alterations have been completed.

SECTION 11 COLORING AND MARKING

Each Ambulance authorized to operate within the County pursuant to this Ordinance shall bear the name of the Ambulance Service Provider and a unit number and bear coloring and marking in compliance with federal, state and local laws, rules and regulations.

SECTION 12 CLINICAL QUALITY OF AMBULANCE SERVICES

Upon the effective date of this Ordinance, every response to an Emergency Transport Call or Routine/Non-emergency Transport Call at any location within the County shall be made in an ALS Ambulance by an ALS Ambulance Service.

SECTION 13 PROHIBITION AGAINST REFUSAL TO TRANSPORT

It shall be a violation of this Ordinance for the EMS Lead Agency, or any other Ambulance Service Provider at the request of the EMS Lead Agency, to fail to respond to an Emergency Transport Call originating within the County where there is a medical necessity for the service.

SECTION 14 FIRST RESPONDER SANCTION

The EMS Lead Agency is authorized to coordinate the response of all EMS First Responders and EMS public safety personnel in the County. Training and certification of said EMS First Responders and EMS public safety personnel must be sanctioned by the EMS Lead Agency.

SECTION 15 VIOLATIONS

15.01 It shall be unlawful and an offense for any person or any Ambulance Service Provider to commit any of the following acts:

- a) To perform duties as an EMS driver attendant, (EMT-Basic, EMT-Intermediate, EMT-Paramedic or pre-hospital RN or licensed physician), without a current valid certification issued by the Mississippi State Department of Health.
- b) To allow any person to work as an ambulance driver or attendant, without current valid certification issued by the Mississippi State Department of Health.
- c) To use, or cause to be used, an ambulance service other than an Ambulance Service Provider holding a valid Ambulance Service License permit pursuant to this Ordinance.

d) For any person, firm or organization to respond to emergency ambulance calls originating within the County or routine/non-emergency ambulance calls which originate and terminate within this County, other than an Ambulance Service Provider which is the holder of a valid Emergency Ambulance Service License issued pursuant to this Ordinance or with the express authorization of the EMS Lead Agency.

e) To knowingly give false information to induce the dispatch of an Ambulance or First Responder.

15.02 Notwithstanding anything herein, it shall not be a violation of this Ordinance, and no Ambulance Service License shall be required if the vehicle or Ambulance is:

a) Responding to an emergency or routine/non-emergency transport call at the request of the EMS Lead Agency.

b) A privately owned vehicle not used in the business of transporting Patients who are sick, injured, wounded, incapacitated or helpless.

c) A vehicle rendering services as an Ambulance in the event of a major catastrophe or emergency when Ambulances with Permits based in the locality of the catastrophe or emergency are incapacitated or insufficient in number to render the services needed.

d) An Ambulance transporting a routine/non-emergency Patient whose point of origin and destination are not both located within the County.

e) A vehicle engaged in the interstate or intercounty transport of a Patient.

15.03 Any person convicted of violating any provisions of this Ordinance shall be punished by fine and costs not to exceed the sum of \$1,000.00.

15.04 Each day that any violation of the provisions of this Ordinance is committed or permitted to continue shall constitute a separate offense.

SECTION 16 SUSPENSION AND REVOCATION

16.01 Any Ambulance Service License issued under the provisions of this Ordinance may be revoked or suspended by the County upon a finding of any one of the following:

a) Breach of violation of any of the provisions of this Ordinance, specifically including Section 16 hereof.

- b) Discontinuance of operations for more than thirty (30) days.
- c) Discrimination in providing services pursuant to this Ordinance to any person on the basis of race, creed, color, nationality or religious beliefs.
- d) Violation of any federal, state or local law, rule or regulation which violation reflects unfavorably on the fitness of the Ambulance Service License holder to offer and deliver ambulance services hereunder.

16.02 Prior to the suspension or revocation of an Ambulance Service License hereunder, the Ambulance Service License holder shall be given thirty (30) days written notice of the proposed action to be taken by the County and shall, upon written request within ten (10) days of such notice, be entitled to a hearing before the County. If, upon such hearing, the County shall find that the Ambulance Service holder has corrected the alleged deficiencies and brought itself in compliance with the provisions of this Ordinance, such Ambulance Service License shall not be suspended or revoked.

SECTION 17 STATUS OF EXISTING AMBULANCE SERVICES

Any Ambulance Service Provider located and operating in Pike County, Mississippi, prior to the adoption of this Ordinance shall be automatically issued all necessary Certificates of Necessity, Ambulance Service Licenses and Ambulance Permits required by and provided for in this Ordinance, provided such Ambulance Service Provider complies with all professional and operating standards required by this Ordinance. Such Certificates, Licenses and Permits are renewable only as provided for in this Ordinance.

SECTION 18 SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 19 REPEAL OF PRIOR ORDINANCE

All ordinances and resolutions or parts of ordinances and resolutions in conflict herewith shall be and the same are hereby expressly repealed.

SECTION 20 EFFECTIVE DATE OF ORDINANCE

This Ordinance will become effective on the date of its passage by the Pike County,

Mississippi, Board of Supervisors.

CERTIFICATE

I, the undersigned DOUG TOUCHSTONE, Clerk of the Board of Supervisors and Chancery Clerk of Pike County, Mississippi, do hereby certify that the above and foregoing is a true, complete and accurate copy of Pike County, Mississippi Ordinance For Ambulance Service that was unanimously adopted by the Board of Supervisors of Pike County, Mississippi at a meeting thereof duly and legally held on Friday, October 5, 2007, as the same appears of record in Supervisors' Minute Book 2007 at Pages 669, inclusive, in my care, custody and control.

EXECUTED on this 15th day of October, A.D., 2007.

Doug Touchstone
DOUG TOUCHSTONE, CLERK OF THE
BOARD OF SUPERVISORS AND
CHANCERY CLERK OF PIKE COUNTY,
MISSISSIPPI
By Chuck Amador

(SEAL)