

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes No
 Does this item include the use of federal funds? Yes No

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this agenda item.

Departmental Fiscal Review: *[Signature]* 11/30/21

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 12/1/21
 OFMB *[Signature]* 12-1-21
 MG 12/1/21

[Signature] 12/2/21
 Contract Administration

B. Legal Sufficiency:

[Signature] 12/2/21
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

Background and Policy Issue (continued from page 1): The EMS Ordinance is established pursuant to Chapter 401, Florida Statutes which grants counties the ability to grant COPCNs to EMS providers within the County. Pursuant to Florida Statutes, Chapter 401, in order for the State to license an applicant to provide emergency medical services an applicant must obtain a COPCN from the County in which the applicant will operate. The EMS Ordinance provides standards for issuing COPCNs in accordance with Chapter 401, Florida Statutes.

ORDINANCE NO. 2021-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING PALM BEACH COUNTY CODE, CHAPTER 13, ARTICLE II, DIVISION 1 (EMS ORDINANCE); AMENDING SECTION 13-22 (APPLICATION FOR COPCN) RELATING TO FINANCIAL STATEMENTS REQUIREMENT FOR SPECIAL SECONDARY SERVICE PROVIDERS; PROVIDING FOR RECITALS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County's EMS Ordinance, set forth in Chapter 13, Article II, Division 1 of the Palm Beach County Code (codifying Ordinance 2017-030, as amended), governs the issuance of Certificates of Public Convenience and Necessity (COPCN) for the provision of emergency medical services in the County by Primary Providers, Secondary Providers and Special Secondary Service Providers; and

WHEREAS, the EMS Ordinance sets forth COPCN application requirements, including a requirement for audited financial statements; and

WHEREAS, Special Secondary Service Providers provide non-transport ALS Services within a community, pursuant to a contract with a Community Association, until the Primary Provider arrives; and

WHEREAS, the services offered by Special Secondary Service Providers within communities are beneficial to and promote the public health, safety and welfare; and

WHEREAS, the Board of County Commissioners (Board) desires to amend the financial statements requirement to provide more flexibility for Special Secondary Service Providers to be able to provide this important service; and

WHEREAS, the Board hereby finds and determines that the public interest and general welfare are best served by amending the EMS Ordinance to update the financial statements requirement for Special Secondary Service Providers.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. The foregoing recitals and findings are hereby confirmed and incorporated herein.

SECTION 2. Section 13-22 (Application for COPCN), Subsection (a)(5)a, of the Palm Beach County Code is hereby amended to read as follows (additions shown by underline and deletions show by strikethrough):

“a. The financial information of the applicant to ensure financial ability to provide and continue to provide service to the Area. Such financial information shall include copies of the applicant's past two (2) Medicare audits, if any. Privately held entities must provide copies of the past three (3) years of audited financial statements of the company and its parent company or holding company, if any. For Special Secondary Service Provider applicants only, if such company does not have audited financial statements, then reviewed financial statements shall be acceptable, provided the applicant also submits a written acknowledgment from the affected Community Association, signed by an authorized representative, confirming that the Community Association acknowledges and accepts that the applicant does not have audited financial statements and has submitted with its COPCN application reviewed financial statements in lieu of audited financial statements. Government entities must provide the past three (3) years Comprehensive Annual Financial Reports via hard copy, or electronically. For purposes of this Division a parent company or holding company shall mean any person, corporation or company holding, owning or in control of more than ten (10) percent stock or financial interest of another person, corporation or company.”

SECTION 3. Repeal of Laws in Conflict: Any laws or ordinances in conflict with this Ordinance which Palm Beach County is authorized to repeal are hereby repealed to the extent of such conflict.

SECTION 4. Savings Clause: Notwithstanding anything herein to the contrary, the provisions of Palm Beach County Code, Section 13-22(a)(5)a, as originally enacted and amended are specifically preserved, and shall remain in full force and effect, for the limited purpose of enforcing any alleged violations of said law which occurred prior to its repeal or replacement.

SECTION 5. Severability: If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

SECTION 6. Inclusion in the Code of Laws and Ordinances: The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 7. Captions: The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

SECTION 8. Effective Date: The provisions of this Ordinance shall become effective upon the date this Ordinance is filed with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the _____ day of _____, 2021.

JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT & COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
_____, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
County Attorney

Filed with the Department of State on the _____ day of _____, 20____.