From: County Ordinances

To: <u>Ordinances</u>; <u>County Ordinances</u>

Cc: Heidi Prouse; Paige Jefferys; Nienke Osinga

Subject: RE: Hernando County Ordinance No. 2025-09 - Adopted on August 12, 2025

 Date:
 Wednesday, August 13, 2025 2:02:20 PM

 Attachments:
 Hernando20250813 Ordinance2025 09 Ack,pdf

Good afternoon,

Attached is the acknowledgement letter for Hernando County Ordinance 2025-09.

Thank you,

From: Ordinances <ord@hernandoclerk.org> Sent: Wednesday, August 13, 2025 9:11 AM

To: County Ordinances < CountyOrdinances@dos.fl.gov>

Cc: Heidi Prouse hernandoclerk.org; Paige Jefferys pefferys@hernandoclerk.org; Nienke Osinga

<nosinga@hernandoclerk.org>

Subject: Hernando County Ordinance No. 2025-09 - Adopted on August 12, 2025

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name:	Heidi Prouse
Sender Phone number:	352-754-4970
County Name:	Hernando
Ordinance Number:	2025-09

Thank You,

Heidi Trouse

Administrative Services | Administrative Services Supervisor Office of Doug Chorvat Jr., Clerk of Circuit Court and Comptroller

Phone: (352) 540-6437 | Email: hprouse@hernandoclerk.org

20 N Main Street, Brooksville, FL 34601

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NOTICE:

Please note: Florida has a very broad Public Records Law. Most written communications to or from the Clerk's Office are public records available to anyone upon request. Your e-mail, including your e-mail address, may therefore, be subject to public disclosure.



RON DESANTIS
Governor
CORD BYRD
Secretary of State

August 13, 2025

Doug Chorvat, Jr. County Clerk Hernando County 20 North Main Street, Rm. 362 Brooksville, Florida 34601

Dear Doug Chorvat Jr.,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2025-09, which was filed in this office on August 13, 2025.

Sincerely,

Alexandra Leijon Administrative Code and Register Director

AL/dp

ORDINANCE NO.: 2025-1 2 AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III (EMERGENCY 3 AND NON-EMERGENCY MEDICAL TRANSPORTATION), SECTIONS 15-81 THROUGH 15-95, HERNANDO COUNTY ORDINANCES, ESTABLISHING 4 THE HERNANDO COUNTY AMBULANCE CERTIFICATE OF PUBLIC 5 CONVENIENCE AND NECESSITY ORDINANCE; REPEALING CHAPTER 21 6 7 (HEALTH AND SANITATION) ARTICLE X (AMBULANCE 8 TRANSPORTATION SERVICES); RESERVING SECTIONS 21-163—21-186 OF THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION 9 IN THE CODE: PROVIDING FOR THE REPEAL OF CONFLICTING 10 11 PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE. WHEREAS, the Raymond H. Alexander, M.D., Emergency Medical Transportation Act 12 13 (Chapter 401, Part III, Florida Statutes) ("the Act") places responsibility for the improvement and regulation of basic and advanced life support systems in the State of Florida with the Florida 14 Department of Health ("the Department"), except for the issuance of COPCNs which the Act 15 16 declares is the responsibility of the various counties; and 17 WHEREAS, the Act requires applicants to the Department for licensure as a basic life support or an advanced life support service to obtain a COPCN from each county in which the 18 19 applicant will operate; and

1	WHEREAS, it is in Hernando County's best interests to regulate the application process for
2	and issuance of, COPCNs according to the needs of Hernando County citizens pursuant to §
3	401.25(2)(d), Florida Statutes, to comport with the Act; and
4	WHEREAS, consistency dictates that the best location for the Hernando County Ambulance
5	Certificate of Public Convenience and Necessity Ordinance is Chapter 15, Article III, which is titled
6	Emergency and Non-Emergency Medical Transportation; and
7	WHEREAS, notice of the public hearing on the matter of amending this ordinance was
8	properly and timely published; and
9	WHEREAS, the County has considered the record of the public hearing.
10	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
11	COMMISSIONERS OF HERNANDO COUNTY:
12	Section 1. Chapter 15 (Health and Sanitation), Article III (Emergency and Non-Medica
13	Emergency Medical Transportation), Sections 15-81 through 15-95, which are currently reserved
14	are amended to read as follows with the underlined matter added and struck-through matter deleted
15	Sec. 15-81. Short title.
16	This article may be cited as the "Hernando County Ambulance Certificate of
17	Public Convenience and Necessity Ordinance."
18	Sec. 15-82. Primary EMS Provider and First Responder for Emergency
19	Medical Services.

1 and shareholders of applicant; 2 (d) The territory the applicant desires to serve; number of vehicles; a brief 3 description of the kind or type, passenger capacity, arrangement, size, and gross 4 weight of each vehicle; 5 The location and description of each place from which applicant's (e) service is intended to operate; 6 The training and experience of the applicant in the transportation and (f) 7 care of patients; 8 9 A description of each vehicle to be used in the applicant's business or (g) service, including the make, model, year of manufacture, mileage and vehicle 10 11 identification number (VIN); state or federal aviation or marine agency registration 12 number, where applicable; and the color scheme, insignia, name, monogram, or other distinguishing characteristics to be used to designate the applicant's vehicle or 13 14 vehicles; 15 (h) The names and addresses of at least three (3) residents of the county 16 available as references; 17 A written agreement of the applicant to file, in event that the (i) 18 application is granted and prior to its effectiveness, copies of public liability, property 19 damage and malpractice insurance or a surety bond conditioned for the payment and stock or interest of any person or operator so as to cause a change in the directors, officers, majority stockholders or managers of such person or operator shall be deemed a transfer or assignment as contemplated by this article and subject to the same rules and regulations as any other transfer or assignment. Further, and in addition to this definition of an event constituting a transfer, any action as stated under chapter 401, Florida Statutes, which defines an assignment and/or transfer shall be deemed by the board to be a transfer or assignment.

Sec. 15-92. Daily record.

Every operator shall maintain a daily record in which shall be recorded the place of origin, time of call, time of dispatch, time of arrival at scene, time left for destination, and charges for each trip made, along with such operating and patient information required by the board. Pursuant to § 401.30, Fla. Stat., the names of patients and other patient-identifying information is confidential and exempt from the provisions of Chapter 119, Florida Statutes, and may not be disclosed without the consent of the patient except as provided in § 401.30(4), Florida Statutes. Every operator shall retain and preserve all daily logs for at least five (5) years and such logs shall be available for inspection by the board upon request, subject to the confidentiality and exemption provisions of Chapters 119 and 401. Florida Statutes. Falsification of a record shall be grounds for revocation, alteration or suspension of

the operator's COPCN.

Sec. 15-93. Maintenance of records.

Each operator shall keep accurate records of receipts for service rendered, operating and other expenses, capital expenditures and such other operating and patient information required by the board or under the provisions of chapter 401, Florida Statutes, and chapter 64J-1 of the Florida Administrative Code. Pursuant to § 401.30, Florida Statutes, the names of patients and other patient-identifying information is confidential and exempt from the provisions of Chapter 119, Florida Statutes, and may not be disclosed without the consent of the patient except as provided in § 401.30(4), Florida Statutes.

Sec. 15-94. Administration and enforcement of ordinance.

Responsibility for the administration and enforcement of the provisions of this article is vested in the county administrator. The operator's failure to comply with this article will result in a report by the county administrator to the board for further action, which may include suspension or revocation of the operator's COPCN.

Sec. 15-95. Violations and penalties.

Any person, firm or corporation failing to comply with any provision of this article shall be prosecuted as described in chapter 2, article III, as amended from time to time.

1	Secs. 15- 81 96 -15-120 Reserved.
2	Section 2. Chapter 21 (Offenses and Miscellaneous Provisions) Article X (Ambulance
3	Transportation Services) is amended to read as follows with underlined matter added and struck-
4	through matter deleted:
5	ARTICLE X. AMBULANCE TRANSPORTATION SERVICES
6	See. 21-163. Short title.
7	This article may be cited as the "County Ambulance Certificate of Public
8	Convenience and Necessity Ordinance."
9	Sec. 21-164. Definitions.
10	The following definitions shall apply to this article:
11	Advanced life support means treatment of life threatening medical
12	emergencies through the use of techniques such as endotracheal intubation, the
13	administration of drugs, intravenous fluids, telemetry, cardiac monitoring and cardiac
14	defibrillation by a qualified person, pursuant to rule of the department.
15	
16	nontransport service which uses advanced life support techniques as defined in this
17	article and chapter 401, Florida Statutes.
18	

1	publicly owned land, air or water vehicle that is designed, constructed, reconstructed,
2	maintained, equipped or operated for, and is used for, or intended to be used for, air,
3	land or water transportation of sick or injured persons who are in need of emergency
4	medical attention during transport.
5	Applicant means every person who may make application for a certificate of
6	public convenience and necessity as hereinafter described.
7	
8	by a qualified person through the use of techniques such as patient assessment, basic
9	cardiopulmonary resuscitation, splinting, obstetrical assistance, bandaging,
10	administration of oxygen, application of medical antishock trousers and other
11	techniques that an EMT is authorized to do pursuant to chapter 401, Florida Statutes.
12	Board means the Board of County Commissioners of Hernando County, Florida.
13	Certificate means a certificate of public convenience and necessity as issued
14	by the board.
15	——————————————————————————————————————
16	article or chapter 401, Florida Statutes, to a person to act in a capacity regulated by
17	this article or chapter 401, Florida Statutes.
18	County means all incorporated and unincorporated areas within the territorial
19	limits of Hernando County, Florida.

1	Department means the Department of Health and Rehabilitative Services.
2	EMS means emergency medical services.
3	Operator means any person owning or acting as agent for the owner of any
4	business or service which furnishes, operates, conducts, maintains, advertises,
5	engages in, proposes to engage in, or professes to engage in a business or service
6	which offers advanced life support or basic life support service.
7	Permit means any authorization issued pursuant to the provisions of chapter
8	401, Florida Statutes, for a vehicle to be operated as a transport or a nontransport
9	vehicle providing advance life support services.
10	Person means and includes any individual, firm, corporation, association,
11	partnership or governmental entity.
12	State means the State of Florida.
13	Sec. 21-165. Certificate required.
14	(a) Every person or operator owning or acting as agent for the owner of
15	any business or service which furnishes, operates, conducts, maintains, advertises,
16	engages in, proposes to engage in, or professes to engage in an advanced life support
17	transport service, basic life support transport service, or any other licensed EMS
18	provider pursuant to chapter 401, Florida Statutes, and/or chapter 64J-1 of the Florida

1	Administrative Code, as amended from time to time, within Hernando County shall
2	first obtain a certificate of public convenience and necessity as an advance life
3	support service prior to offering such services to the public. The application of such
4	certificate shall be in a form provided by the board and shall be in writing, signed and
5	sworn to by the applicant, and shall be filed with the board.
6	(b) The application shall provide proof that the applicant has met all
7	appropriate requirements and obtained all appropriate certificates, licenses and
8	permits from the state as provided for by chapter 401, Florida Statutes, chapter 64J-1
9	of the Florida Administrative Code and all other applicable state or federal laws.
10	- (c) The certificates required hereunder shall be in addition to all
11	certificates, licenses and permits required by chapter 401, Florida Statutes.
12	(d) A fee to be set by fee resolution will accompany each application to
13	offset administrative costs incurred in processing the application.
14	Sec. 21-166. Application for certificate.
15	Every application for a certificate under this article shall contain the
16	following:
17	(1) The name and business address of the owner or operator of the
18	advanced life support or basic life support service, or proposed service;

1	(2) The name under which the applicant will operate;
2	(3) A list of the names and addresses of all officers, directors and
3	shareholders of applicant;
4	(4) The territory which the applicant desires to serve; number of vehicles;
5	a brief description of the kind or type, passenger capacity, arrangement, size and
6	gross weight of each vehicle;
7	(5) The location and description of each place from which applicant's
8	service is intended to operate;
9	— (6) The training and experience of the applicant in the transportation and
10	care of patients;
11	(7) A description of each vehicle to be used in the applicant's business or
12	service, including the make, model, year of manufacture, mileage and vehicle
13	identification number (VIN); state or federal aviation or marine agency registration
14	number, where applicable; and the color scheme, insignia, name, monogram, or other
15	distinguishing characteristics to be used to designate the applicant's vehicle or
16	vehicles;
17	(8) The names and addresses of at least three (3) residents of the county
18	available as references;

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An agreement of the applicants to file, in event that the application shall be granted and prior to its effectiveness, copies of public liability, property damage and malpractice insurance or a surety bond conditioned for the payment and satisfaction of any final judgment as required or provided for in this article and chapter 401, Florida Statutes; (10) A statement certifying that the applicant will provide continuous service on a 24-hour-day, seven-day-week basis, and the minimum level of patient eare rendered and/or available will always be advanced life support, with the exceptions of disasters or extraordinary circumstances, (advanced life support applicants only); (11) Such other information as the board shall deem reasonable and necessary to a fair determination of compliance with this article. Sec. 21-167. Investigation of applicant's insurance. Upon receipt of an application for any certificate under this article; the board may cause an investigation to be made of the character and reputation of the applicant as a law abiding citizen; the financial ability of the applicant to render safe and comfortable service and to maintain or replace equipment for such service; the financial responsibility of the applicant to maintain insurance for the payment of personal injury, death and property damage claims and of such other pertinent facts

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which the board may deem relevant in determining the fitness of the applicant to assume the occupation of an operator. The amount of all insurance policy coverage must be in an amount acceptable to the county's current insurance carrier and must name Hernando County as an additional insured. All such insurance policies shall provide for a thirty-day cancellation notice to be sent to the board. Sec. 21-168. Hearings on applications; issuance or refusal. The board will schedule a public hearing regarding the initial issuance of any certificate. The board shall give an applicant and all certificate holders notice of any public hearing affecting certificates prior to the date of the public hearing. At the time and place specified in the notice, the board shall accord all persons attending an opportunity to be heard. The board may issue or refuse to issue a certificate as applied for or may modify the terms and conditions of a certificate applied for as the public convenience and necessity may require in the discretion of the board. After receiving an application for a certificate and after receiving public input at a public hearing and after reviewing financial, technical and character qualifications of the applicant the board may issue a certificate. [Factors which the board may use in its issuance of a certificate include the following:

Whether existing emergency medical transportation services are

1	adequate to meet reasonable public needs.
2	——————————————————————————————————————
3	existing or projected future emergency calls within the area to be served.
4	(3) The financial ability of the applicant to furnish continuous and
5	uninterrupted service at the times required therefor and to meet the financial
6	obligations of the service which the operator proposes to perform.
7	(4) The effect on existing medical transportation facilities and services
8	of all kinds, and particularly whether the granting of such certificate will or may
9	seriously impair essential public service as provided by existing service operators.
10	(5) The qualifications of the applicant to properly perform the proposed
11	service and to conform to provisions of this article.
12	(6) Any objections received from operators provided notice of the
13	application as set out herein.
14	(7) Any of the matters set out in section 21-167.
15	Sec. 21-169. Form and contents.
16	(a) Every certificate issued under this article shall state the service
17	territory authorized and such conditions and limitation as the board may deem
18	necessary for protecting the public interest.

(b) The certificate and any and all renewals thereof shall be valid for a 1 period of two (2) years from the date thereof unless earlier suspended, revoked or 2 terminated. 3 4 (c) The application for renewal must be submitted to the county attorney's office no later than ninety (90) days before expiration and the board shall review all certificates within sixty (60) days of their expiration and, without the necessity of a 6 public hearing, may issue renewals when such renewal is in the public convenience 7 and necessity. 8 (d) Should the board determine not to renew a certificate, it shall notify 9 the holder in writing at least within thirty (30) days of the expiration of the certificate 10 of its intended action and the reasons for that action. 11 Sec. 21-170. Transfer of assignment. 12 13 No certificate issued under this article shall be assigned or transferred by the person to whom it is issued except upon approval of the board of such assignment or 14 15 transfer. Such approval shall be granted in the same manner and subject to the same application requirements and procedures as original applications for certificates. Any 16 majority transfer of shares of stock or interest of any person or operator so as to cause 17 a change in the directors, officers, majority stockholders or managers of such person 18 19 or operator shall be deemed a transfer or assignment as contemplated by this article

1	and subject to the same rules and regulations as any other transfer or assignment.
2	Further, and in addition to this definition of an event constituting a transfer, any
3	action as stated under chapter 401, Florida Statutes, which defines an assignment
4	and/or transfer shall be deemed by the board to, in fact, be such a transfer of
5	assignment.
6	Sec. 21-171. Grounds for revocation, alteration or suspension.
7	(a) Every certificate issued under this article shall be subject to
8	revocation, alteration or suspension by the board where it shall appear that:
9	(1) The operator has failed or neglected to render all services
10	authorized by his/her certificate for a period of three (3) consecutive days
11	during any calendar year without reasonable cause;
12	——————————————————————————————————————
13	offense involving moral turpitude;
14	(3) The certificate was obtained by an application in which any
15	material fact was omitted or falsely stated;
16	(4) The operator has permitted any vehicle to be operated in
17	violation of the laws of Florida or this article, which violation results in a
18	conviction of the driver or operator of the vehicle of a misdemeanor in the
19	second degree or greater;

1	(5) The c perator has permitted any person or employee to provide
2	service under his certificate without that person possessing the appropriate
3	license, certificate or permit as required by this article and chapter 401,
4	Florida Statutes;
5	——————————————————————————————————————
6	of this article, chapter 401, Florida Statutes, or chapter 64J-1 of the Florida
7	Administrative Code and as amended from time to time;
8	- (7) The operator, his agents or employees have been found guilty
9	of malpractice or negligence in the operation of the service;
10	(8) The operator knowingly allows his agents or employees to
11	violate the provisions of this article, chapter 401, Florida Statutes or chapter
12	64J-1 of the Florida Administrative Code as amended from time to time
13	and/or any other applicable state or federal law(s).
14	(9) Or other good cause, or as provided for otherwise in this
15	article.
16	(b) Proceedings for investigation and recommending of revocation,
17	alteration or suspension of a certificate, and any hearing to be held based upon this
18	investigation, shall be undertaken by the board of county commissioners. All
19	complaints shall be investigated within forty-five (45) days and a report thereon made

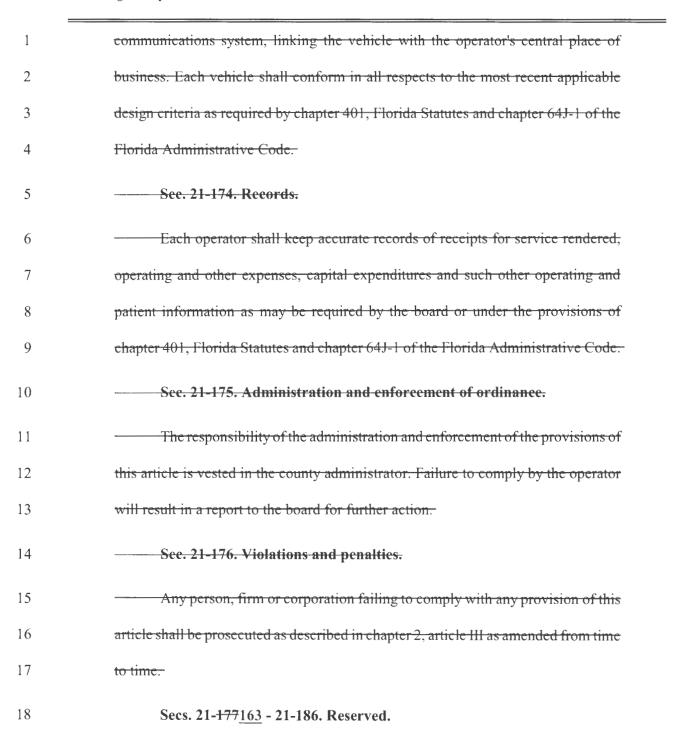
to the board, together with findings and recommendations. If revocation, alteration or suspension of any certificate appears warranted, the board shall give fifteen (15) days' notice to the operator holding the certificate that the same will be considered at a specific board meeting, provided the date of such meeting shall not be less than five (5) days from the date of the notice. The board shall thereupon undertake to consider the complaint and either revoke, alter or suspend the certificate or dismiss the complaint.

Sec. 21-172. Daily record.

Every operator shall maintain a daily record which shall be recorded the place or origin, time of call, time of dispatch, time of arrival at scene, time left for destination, time of arrival at destination, and charges for each trip made and such operating and patient information as may be required by the board. Every operator shall retain and preserve all daily logs for at least five (5) years and such logs shall be available for inspection by the board upon request. Falsification of a record shall be grounds for revocation, alteration or suspension of a certificate.

Sec. 21-173. Suitable vehiele.

Each vehicle shall be suitable for transportation of persons requesting service, shall meet the appropriate safety, sanitation and maintenance standards and shall be maintained in suitable premises. Every vehicle shall possess an appropriate



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Section 3. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance. Section 4. Inclusion in the Code. It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or any other appropriate designation. Section 5. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. Section 6. Effective Date. This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has been filed with said office.

1	BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
2	HERNANDO COUNTY in Regular Session this 12 day of August 2025.
3	
4	BOARD OF COUNTY COMMISSIONERS
5	HERNANDO COUNTY, FLORIDA
6	
7	21:00 () +01 (D)
8	Attest: Ludi Prase Laputy Club Br. DOUGLAS CHORVAT, JR.
9	DOUGLAS CHORVAT, JR. DOUGLAS CHORVAT, JR.
10	Clerk and Comptroller Chairman
11	
12	Approved for Form and Legal Sufficiency SEAL
13	
14	Melissa Tartaglia
15	County Attorney's Office