



OFFICE OF THE COUNTY ADMINISTRATOR

M E M O R A N D U M

TO: The Honorable Chairman and
Members of the Board of County Commissioners

FROM: Robert S. LaSala, County Administrator 

SUBJECT: Proposed Amendments to the Emergency Medical Services Special Act

DATE: September 23, 2011

Attached please find the proposed amendment for Chapter 80-585 Laws of Florida, as amended, providing for the Authority to set the level of service to be met by EMS providers.

As referenced in your state legislative program, this is a priority item that will clarify the Authority vested in the Board of County Commissioners and as the EMS Authority of Pinellas County. It annunciates the Authority's right to set reimbursement for reasonable cost of said services. In doing so it allows a provider to exercise its discretion to provide a higher level of service at its own expense.

Finally, it clarifies the rules, responsibilities, and representation of the Emergency Medical Services Advisory Council.

Staff will be prepared to answer any questions you may have about this amendment.

1 An act relating to Pinellas County; amending chapter 80-585, Laws of
2 Florida, as amended; providing for the Authority to set the level
3 of service to be met by EMS providers; providing an effective
4 date.

5 Be It Enacted by the Legislature of the State of Florida:

6 Section 1. Section 1 of chapter 80-585, Laws of Florida, is amended to
7 read:

8 Section 1. Subsection (9) of section 2 of chapter 80-585, Laws of Florida,
9 as amended by 89-424, Laws of Florida, is amended to read:

10 (9) To establish uniform standards which shall be equal to or stricter
11 than those provided in Chapter 401, Florida Statutes, insofar as it relates
12 to Emergency Medical Services and the Department of Health EMS Rules,
13 Chapter ~~10D-66 64J-1~~, as they exist and may hereafter be amended and to
14 provide for the enforcement of same. The authority has the power to
15 establish levels of service for all emergency medical services that must be
16 met by EMS providers; ~~provided that levels of service on or after the~~
17 ~~effective date of this act may not be lower than levels of service as of~~
18 ~~January 1, 1989, without the consent of the affected EMS providers~~; and
19 provided further that an EMS provider may not be required to increase its
20 level of service to a level of service established by the authority that results
21 in the authority reducing the payment of reimbursable costs to EMS provid-
22 ers because the total reimbursable costs would exceed the 1.5 millage
23 authorized by this act. A provider may provide a higher level of service, at
24 their own expense, than that funded by the authority

25 Section ~~3~~2. Section 3 of chapter 80-585, Laws of Florida, as amended by
26 chapter 89-424, Laws of Florida, is amended to read:

27 Section 3. The authority shall make provision for EMS in any designated
28 districts. This may be done on a contract management basis where new
29 services are to be provided. However, where EMS are already being provid-
30 ed, ~~full~~ reimbursement shall be made by the authority to the EMS provid-
31 er for the reasonable ~~and customary~~ cost of said services, such cost to be
32 defined by the authority. The firm receiving said management contract will
33 operate under the direction of the EMS medical director, carrying out such
34 policies and programs as the authority deems necessary. In determining
35 reimbursable costs pursuant to this section, where EMS are already being
36 provided, the authority may take into consideration the standards and levels
37 of service established pursuant to section 2 and may reimburse the EMS
38 providers for reasonable actual costs incurred in providing EMS in accord-
39 ance with the standards and levels of service established by the authority.
40 However, neither the authority nor the Board of County Commissioners may
41 be required to pay or budget for the payment of reimbursable costs to the
42 EMS providers if that payment would cause the annual budget of the au-
43 thority to exceed the 1.5 millage authorized by this article. If budget
44 requests approved by the authority for the new fiscal year exceed the total
45 estimated revenue available, including ad valorem tax revenue generated
46 by 1.5 mills, the authority shall:

47 (1) Calculate the percentage of each provider's share of the total re-
48 quested and approved increases in the authority's budget for the new fiscal
49 year.

50 (2) Calculate the revenue available for funding increases by subtracting
51 the approved authority budget for the current fiscal year from the total
52 estimated revenue available for the new fiscal year.

53 (3) Multiply the percentage calculated in subsection (1) for each provider
54 requesting an increase, by the amount calculated in subsection (2), and add
55 the resulting amount to that provider's approved budget for the current
56 fiscal year. This amount will be the total budgeted for that provider for the
57 new fiscal year.

58 Section 43. Section 5 of chapter 80-585, Laws of Florida, is amended to
59 read:

60 Section 5. There is hereby also created an Emergency Medical Services
61 Advisory Council, hereinafter called "the Council," to consist of no fewer
62 than 15 nor more than 24 members. Members shall be proposed by the
63 present EMS Advisory Council and ratified by the authority. Members shall
64 constitute a broad spectrum of County representation and shall include
65 members of the emergency medical services system and four (4) mayors (or
66 each mayor's designee, who shall be an elected official from the respective
67 city) to be appointed by the Pinellas County Council of Mayors. The term of
68 appointment shall be for 2 years; however, there is no limit on the number of
69 terms an individual may serve. The Director of Emergency Medical Services
70 for Pinellas County shall be a nonvoting member of the Council. It shall be
71 the responsibility of this Council to evaluate the County's emergency
72 medical services system from a qualitative point of view, to review the
73 operation of EMS on a countywide basis, to recommend requirements and
74 programs for the contract management firm and monitor performance of
75 same, to review and evaluate studies commissioned by the authority upon
76 the authority's request, and to make such recommendations as may be
77 necessary to the authority on needs, problems and opportunities relating to
78 emergency medical services, including the financing and establishment of a
79 trauma center or centers, and to carry out such other duties as may be
80 required to ensure the delivery of good, countywide EMS at reasonable cost.
81

Section 5. This act shall take effect upon becoming a law.