

RESOLUTION NO. 168-2024

A RESOLUTION AMENDING ARTICLE IV OF CHAPTER 17 OF THE SEDGWICK COUNTY CODE, REGARDING AMBULANCE SERVICES WITHIN THE COUNTY.

WHEREAS, pursuant to K.S.A. 65-6101 *et seq.*, the State of Kansas has established the Emergency Medical Services Board, and certain authorizing and permitting procedures have been established therein.

WHEREAS, K.S.A. 65-6102 organizes the Emergency Medical Services Board, and K.S.A. 65-6125 states that no ambulance service may operate in the State of Kansas without the proper permits.

WHEREAS, the Emergency Medical Services Board has permitted and licensed the use of ambulances within the State of Kansas.

WHEREAS, Sedgwick County, Kansas ("County") has the authority and responsibility to adopt and establish policies and practices for the efficient and effective operation of Emergency Medical Services within the bounds of Sedgwick County, and may mandate that properly licensed and permitted ambulances accreditation can be used and allowed to operate within the County.

WHEREAS, County has in the past authorized and contracted with ambulance service providers to operate within the territory of the County.

WHEREAS, Sedgwick County Emergency Medical Services assumes operational responsibility for ambulances into the proper response for the provision of emergency response for transportation of the critically ill and injured, as well as authorizing the use of nonemergency transportation under certain circumstances.

WHEREAS, it is important for purposes of allowing prompt medical response to allow the operation of ambulances and nonemergency transport of sick or injured persons within the County.

WHEREAS, the County is empowered to provide for such regulation pursuant to K.S.A. 19-101a, K.S.A. 65-6131 and its police powers for the protection, safety, welfare and comfort of its citizens.

WHEREAS, it is the desire of the County to update the provisions of the existing sections of County Code governing ambulances services within the County, under terms as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that:

SECTION I. Article IV of Chapter 17 of the Sedgwick County Code is hereby repealed in full and shall be replaced by the Revisions, attached hereto and incorporated herein by reference, designated "Article IV. Ambulance Service,":

SECTION II. This Resolution shall be and become effective upon adoption by the Board of County Commissioners and publication in the official county newspaper. These Amendments to Article IV of Chapter 17 shall be published in the Sedgwick County Code.

Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
RYAN K. BATY
JAMES M. HOWELL

aye
aye
aye
aye

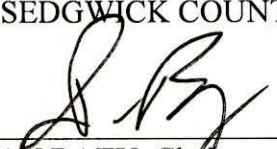
Dated this 21 day of August, 2024.


BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:


KELLY B. ARNOLD, County Clerk





RYAN BATY, Chairman
Commissioner, Fourth District

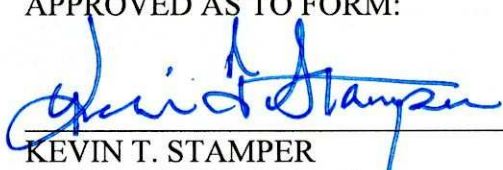

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District


PETER F. MEITZNER
Commissioner, First District


DAVID T. DENNIS
Commissioner, Third District


JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:


KEVIN T. STAMPER
Assistant County Counselor

ARTICLE IV. AMBULANCE SERVICE¹

Sec. 17-91. Definitions.

[For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:]

Advanced emergency medical technician means a person who holds an advanced emergency medical technician certificate issued pursuant to this act.

Advanced life support" and "ALS" mean the statutorily authorized activities and interventions that may be performed by an advanced emergency medical technician or paramedic.

Ambulance service means any organization operated for the purpose of transporting sick or injured persons to or from a place where medical care is furnished, whether or not such persons may be in need of emergency or medical care in transit.

Ambulance means any private or publicly owned motor vehicle, airplane or helicopter designed, constructed, prepared, staffed and equipped for use in transporting and providing emergency care for individuals who are ill or injured.

County means the unincorporated area of Sedgwick County, Kansas.

Emergency medical service means the effective and coordinated delivery of such care as may be required by an emergency that includes the care and transportation of individuals by ambulance services and the performance of authorized emergency care by a physician, advanced practice registered nurse, professional nurse, a licensed physician assistant or emergency medical service provider.

Emergency medical service provider means an emergency medical responder, advanced emergency medical technician, emergency medical technician or paramedic certified by the emergency medical services board.

Emergency medical service system means the coordinated system providing emergency medical service, ambulance service, first responder fire department service, and emergency communications center.

Emergency medical technician means a person who holds an emergency medical technician certificate issued pursuant to this act.

First responder means any person who holds a valid certification by the Kansas Board of EMS who provides services to those in need of stabilization or improvement, pending the arrival at the scene of other responders having a higher level of training.

Governing body means the Board of County Commissioners of Sedgwick County, Kansas.

Medical director means a physician, designated by the Governing Body, to provide medical oversight of emergency medical service providers.

Medical oversight means to review, approve and implement medical protocols and to approve and monitor the activities, competency and education of emergency medical service providers.

¹Cross reference(s)—Emergency medical service, Ch. 11.

Medical protocols means written guidelines that authorize emergency medical service providers to perform certain medical procedures prior to contacting a physician, physician assistant authorized by a physician, advanced practice registered nurse authorized by a physician or professional nurse authorized by a physician.

Municipality means any city, county, township, fire district or ambulance service district.

Nonemergency transportation means the care and transport of a sick or injured person under a foreseen combination of circumstances calling for continuing care of such person. As used in this subsection, transportation includes performance of the authorized level of services of the emergency medical service provider whether within or outside the vehicle as part of such transportation services.

Nonscheduled service means emergency transportation and care of a sick or injured person under an unforeseen combination of circumstances calling for immediate response for emergency care and transportation.

Operator means a person or municipality who has a permit to operate an ambulance service in the state of Kansas.

Paramedic means a person who holds a paramedic certificate issued pursuant to this act.

Person means an individual, a partnership, an association, a joint-stock company or a corporation.

Physician means a person licensed by the state board of healing arts to practice medicine and surgery.

Supervisory official means the Chief of Sedgwick County Emergency Medical Services.

(Res. No. 32-1994, § 1, 3-23-94)

Sec. 17-92. Jurisdiction.

The terms and provisions of this article shall apply to all of the unincorporated area of Sedgwick County, Kansas, and in all municipalities located within the county, which are served by county emergency medical service, except those municipalities for which K.S.A. 65-6113 requires the county to refund their portion of tangible taxes.

(Res. No. 32-1994, § 2, 3-23-94; Res. No. 201-2002, § 1, 12-18-02)

Sec. 17-93. Powers and duties of the governing body.

The governing body has the power to adopt policy and procedures for the administration of this article.

(Res. No. 32-1994, § 3, 3-23-94)

Sec. 17-94. Powers and duties of the supervisory agency.

The Governing body hereby empowers the Sedgwick County Emergency Medical Services System Medical Director to provide for the medical control and quality assurance function of ambulance or emergency medical service providers. The supervisory official shall inspect or cause to be inspected the vehicles and facilities designated in the application hereunder, and it shall certify its approval when it finds that such vehicles and facilities are safe and suitable for the conduct of emergency medical service and that they comply with all federal, state and county codes, statutes and regulations.

(Res. No. 32-1994, § 4, 3-23-94)

Sec. 17-95. Duties of the supervisory official.

The supervisory official shall administer the policies and procedures of the governing body in accordance with the laws of the State of Kansas and administrative regulations of the Kansas Board of EMS.

(Res. No. 32-1994, § 5, 3-23-94)

Sec. 17-96. Ambulance service licenses required; allowance for emergency helicopter air ambulance services.

- (a) No person shall operate an emergency medical service or ambulance service in the county without first having obtained a license therefor from the State of Kansas. Helicopter air ambulance services, having a current, valid license issued by the State of Kansas and CAMTS accreditation, shall not require additional licensing from Sedgwick County, Kansas.
- (b) The supervisory official is hereby empowered to coordinate with the Sedgwick County EMSS Medical Director for the medical control and quality assurance function of all service providers, including helicopter air ambulance services, which, when properly permitted and licensed, shall be allowed to operate within the county. Use of helicopter air ambulances shall be coordinated with the direction of the Sedgwick County EMSS Medical Director in conjunction with the air ambulance provider's own medical director in accordance with state law and medical protocols established by the Sedgwick County EMSS Medical Director, per K.S.A. 65-6112(o).
- (c) The director of emergency communications for the county must maintain a proper system of coordination between police, fire, EMS, and those licensed and permitted providers offering helicopter air ambulance services, in order to provide for dispatch as promptly as possible in cases of extreme emergency.
- (d) All helicopter air ambulance services shall be required to obtain and maintain liability and other insurance policies required to properly operate and respond to possible litigation resulting from the provision of services within the county. Additionally, those helicopter air ambulance services must hold county harmless for all events, known and unknown, foreseeable and/or not, related to any of the activities conducted by these providers within the county.
- (e) The Sedgwick County Emergency Medical Services ("EMS") and authorized air ambulance services responding into Sedgwick County, are hereby charged with implementing any and all policies and procedures of the Sedgwick County EMSS Medical Director to effectuate the purpose and intent of this section.
- (f) Sedgwick County EMS is under no obligation to immediately dispatch helicopter air ambulances pursuant to this section, but shall work with the office of the medical director to best effectuate the policy preferences herein set forth, in accordance with the medical protocols established by the Sedgwick County EMSS Medical Director.
- (g) The operation of helicopter air ambulance services is part of a parallel response to the ambulance services provided by Sedgwick County EMS. Any and all charges for services rendered by helicopter air ambulance services shall be strictly between the patient and the service. It is understood that dispatch of a helicopter air ambulance by Sedgwick County Emergency Communications does not constitute a relationship wherein county becomes a guarantor of payment for services rendered.

(Res. No. 32-1994, § 6, 3-23-94; Res. No. 124-2018, § 1, 9-5-18)

Editor's note(s)—Res. No. 124-2018, § 1, adopted Sept. 5, 2018, changed the title of § 17-96 from "Nonambulatory service licenses required" to read as herein set out.

(Supp. No. 19, Update 2)

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Sec. 17-97. Ambulance service operation.

- (a) *Sedgwick County Emergency Communications.* All public requests for ambulance service shall be processed through the Emergency Communications center (911) in accordance with established guidelines, approved by the Sedgwick County EMSS Medical Director.
- (b) *Emergency medical service.* Emergency medical services shall operate in accordance with all statutes and regulations set forth by the Kansas Board of EMS as a ground ambulance or an air ambulance service. An emergency medical service shall operate to ensure that citizens requesting emergent service receive ALS ambulance service at or within the Sedgwick County EMS established goals for urban, suburban and rural response times or less in seventy-five (75) percent of the time on an annual basis. This calculation shall be made from the time the emergency medical service receives the call until the first emergency medical vehicle arrives on the scene.
- (c) *Ambulance service.* Ambulance service shall operate in accordance with statutes and regulations set forth by the Kansas Board of EMS as a ground or air ambulance service.

(Res. No. 32-1994, § 7, 3-23-94)

Sec. 17-98. Ambulance licenses required.

No person shall operate an emergency medical vehicle or ambulance vehicle in the county without having first obtained a license therefor from the State of Kansas.

(Res. No. 32-1994, § 8, 3-23-94)

Sec. 17-99. Ambulances and hours of operation.

- (a) *Emergency medical service.* Emergency medical services shall be required to provide such services in compliance with the provisions of section 17-97(b).
- (b) *Ambulance service.* Ambulance services shall be required to operate a minimum of one (1) ALS licensed ambulance with on premise staffing for twenty-four (24) hours a day, every day of the year. No call back will be allowed to staff this ambulance. An additional two (2) ALS ambulances shall be required for twelve (12) hours a day during weekdays. Staffing for these ambulances shall be on premise and no callback will be allowed during the required hours of operation.

(Res. No. 32-1994, § 9, 3-23-94)

Sec. 17-100. Exemptions.

- (a) Nothing in this article shall be construed:
 - (1) To prevent the operation of a police or sheriff's emergency vehicle by one (1) person.
 - (2) To prohibit any privately owned vehicles and aircraft not ordinarily used in ambulance service from transporting persons who are sick, injured, wounded or otherwise incapacitated or helpless.
 - (3) To prevent any vehicle from being pressed into service as an ambulance service vehicle in the case of a major catastrophe.
 - (4) To restrict ground ambulance and air ambulance services which do not take public calls from within the county.

(Supp. No. 19, Update 2)

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- (5) To prevent any vehicle from being used as a ambulance service vehicle when such vehicle is owned by a municipality that has a mutual aid agreement with the governing body and when the governing body or supervisory official has declared the existence of a temporary emergency.
- (b) An ambulance service that has been established and exists pursuant to an interlocal agreement between the governing body and municipalities within or without the county is exempt from the provisions of this article.
- (c) An ambulance service operated by the governing body shall also be exempt hereunder so long as it shall meet or exceed the operational standards of this article.

(Res. No. 32-1994, § 22, 3-23-94)

Sec. 17-101. Service level.

All patients transported by an ambulance service pursuant to this chapter, where the originating and terminating locations are within the region of the county as defined in section 17-92, shall at all times be provided only "advanced life support" ambulance service.

Advanced life support" and "ALS" mean the statutorily authorized activities and interventions that may be performed by an advanced emergency medical technician or paramedic, and the treatment is approved by medical protocols established by the Sedgwick County EMSS Medical Director as allowed by K.S.A. 65-6119, 65-6120, 65-6110 and K.A.R. 109-2-6

(Res. No. 201-2002, § 2, 12-18-02)

Secs. 17-102—17-199. Reserved.