

CHAPTER 90: AMBULANCE SERVICES

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GENERAL PROVISIONS

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(A) Title. This chapter shall be known as the Ambulance Service Ordinance, and may be so cited and pled.

(B) Authority. This chapter is enacted pursuant to ORS 682.205, 682.275 and ORS 203.035, Umatilla County Home Rule Charter, Chapter II, and other applicable law.

(C) Areas. The county is divided into seven separate ambulance service areas. The ambulance service providers offer basic, intermediate and advanced life support emergency medical care and transportation. The ambulance service providers that serve the county, their boundaries and other general information are described in this chapter.

(D) The County Board of Commissioners finds:

(1) That ORS 682.205 requires the county to develop and adopt a plan for the county relating to the need for a coordination of emergency ambulance services and to establish Ambulance Service Areas (ASAs) consistent with the plan to provide efficient and effective emergency ambulance services.

(2) That this chapter, which establishes an ASA, methods for selecting an emergency ambulance provider for an ASA, and the Ambulance Service Area Advisory Committee, together with the document known as the Umatilla County Ambulance Service Area Plan (ASA Plan),

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make up the complete plan for emergency ambulance services for the county.

(3) That the provisions of ORS 221.485 and 221.495, 478.260(3), and 682.025 through 682.355 requires the county to develop and adopt a plan for emergency ambulance services that recognizes the authority of cities and rural fire protection districts to operate and regulate emergency ambulance services within their own territories subject to the ASA Plan. That the provision of effective and efficient emergency ambulance services pursuant to the county ASA Plan within cities and rural fire protection districts must be accomplished primarily on a cooperative basis. The county will employ formal sanctions and litigation to enforce the provisions of the county ASA Plan when voluntary compliance cannot be obtained. (Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. The words and phrases in this chapter shall have the meaning provided in ORS Chapter 682 and OAR Chapter 333, Divisions 250, 255, 260, and 265, unless specifically defined herein to have a different meaning.

ADDRESS AND CONSIDER. Has the meaning given these terms by ORS 682.205(2)(3)

ADMINISTRATOR. A person designated by order of the Board to administer this chapter and the duly authorized deputy or assistant of such person.

AMBULANCE. Has the meaning given that term by ORS 682.025.

AMBULANCE SERVICE. Has the meaning given that term by ORS 682.325.

AMBULANCE SERVICE AREA (ASA). A geographic area which is served by ambulance service provider(s), and may include all or a portion of a county, or all or portions of two or more contiguous counties.

AMBULANCE SERVICE PLAN. A written document, which outlines a process for establishing a county emergency medical services system. A plan addresses the need for and coordination of ambulance services by establishing ambulance service areas for the entire county and by meeting the other requirements of these rules. Approval of a plan will not depend upon whether it maintains an existing system of providers or changes the system. For example, a plan may substitute franchising for an open-market system.

ASA ADVISORY COMMITTEE (COMMITTEE). A committee formed to review standards, make recommendations to or set new standards for the Board of County Commissioners for all matters regarding EMS and review and make recommendations regarding soundness of the ASA.

COMMUNICATION SYSTEM. Two-way radio communications between ambulances, dispatchers, hospitals and other agencies as needed. A two-channel multi-frequency capacity is minimally required.

DIVISION. The Oregon Health Division, Department of Human Resources.

EFFECTIVE PROVISION OF AMBULANCE SERVICES. Ambulance services provided in compliance with the county ambulance service plan provisions for boundaries, coordination and system elements.

EFFICIENT PROVISION OF AMBULANCE SERVICES. Effective ambulance services provided in compliance with the county ambulance service plan provisions for provider selection.

EMERGENCY. Any non-hospital occurrence or situation involving illness, injury or disability requiring immediate medical or psychiatric services, wherein delay in the provision of such services is likely to aggravate the condition and endanger personal health or safety.

EMERGENCY MEDICAL SERVICE (EMS). Those pre-hospital functions and services whose purpose is to prepare for and respond to medical emergencies, including rescue and ambulance services, patient care, communications and evaluation.

EMERGENCY MEDICAL TECHNICIAN-BASIC (EMT-BASIC). A person certified by the Division as defined in OAR 333-265-0000(8).

EMERGENCY MEDICAL TECHNICIAN - INTERMEDIATE (EMT-INTERMEDIATE). A person certified by the Division as defined in OAR 333-265-0000(9).

EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC (EMT-PARAMEDIC). A person certified by the Division as defined in OAR 333-265-0000(10).

FIRST RESPONDER. A person certified by the Division as defined in ORS 682.025(11)(a)(b).

FRANCHISE. A franchise to provide emergency ambulance service issued by the Board pursuant to this chapter.

HEALTH OFFICER. The Umatilla County Health Officer.

LICENSE. Those documents issued by the Division to the owner of an ambulance service and ambulance, when the service and ambulance are found to be in compliance with ORS 682.015 to 682.991 and OAR 333-250-0000 through 333-250-0100 and 333-255-0000 through 333-255-0090.

MASS CASUALTY INCIDENT PLAN (MCI). Provides guidance to EMS response personnel in the coordination of response relating to mass casualty incidents.

MEDICAL DIRECTOR. Has the meaning of a supervising physician as provided in ORS 682.235.

NOTIFICATION TIME. The length of time between the initial receipt of the request for emergency medical service by either a provider or a PSAP, and the notification of all responding emergency medical service personnel.

OWNER. The person having all the incidents of ownership in an ambulance service or an ambulance vehicle or where the incidents of ownership are in different persons, the person, other than a security interest holder or lessor, entitled to the possession of an ambulance vehicle or operation of an ambulance service under a security agreement or a lease for a term of 10 or more successive days.

PATIENT. An ill, injured, or disabled person who may be transported in an ambulance.

PERSONS. Includes individuals, corporations, associations, firms, partnerships, joint stock companies, cities, rural fire protection districts, and special service districts formed and existing pursuant to Oregon Revised Statute.

PROVIDER. Any public, private or volunteer entity providing EMS.

PROVIDER SELECTION PROCESS. The process established by the county for selecting an ambulance service provider or providers.

PUBLIC SERVICE ANSWERING POINT (PSAP). A 24-hour communications facility established as an answering location for 911 calls originating within a given service area.

QUICK RESPONSE TEAM (QRT). An agency that provides initial response and basic life support care without transportation capabilities by certified First Responders.

RESPONSE TIME. The length of time between the notification of each provider and the arrival of each provider's emergency medical service unit(s) at the incident scene.

SYSTEM RESPONSE TIME. The elapsed time from when the PSAP receives the call until the arrival of the appropriate provider unit(s) on the scene.

UMATILLA COUNTY BOARD OF COMMISSIONERS (BOARD). The elected officials that has jurisdiction over the Umatilla County ASA Plan. (Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.03 BOUNDARIES.

(A) ASAs. Umatilla County is divided into six ASAs. The Board, after notice to the affected ASA provider and by amendment to this chapter, may adjust the boundaries of an ASA from time to time as necessary to provide efficient and effective emergency ambulance services. The ASAs are:

- (1) Pendleton;
- (2) Hermiston/Umatilla;
- (3) [Reserved];
- (4) Milton-Freewater;
- (5) Athena;
- (6) Mill Creek; and
- (7) Confederated Tribes of the Umatilla Indian Reservation ("CTUIR").

(B) Maps. Maps depicting boundaries for the ASAs, Appendix A, Map 1 and Ambulance Service Areas Response Times, Appendix A, Map 2, are a part of this Chapter.

(C) ASA narrative description. The boundaries for each of the seven ambulance service areas are as follows:

(1) ASA-1. Beginning on State Highway #37 at the northwest corner of Section 30, Township 5 North, Range 31; thence south along section lines to a point on the east section line of Section 13, Township 4 North, Range 30, where an unimproved road intersects Terney Road (County Road #997) from the west; thence westerly along said unimproved road to Kilgore Road (County Road #1001) on the west section line of said Section 13; thence south on Section lines to the center point of the east section line of Section 11, Township 3 North, Range 30; thence west across Sections 11, 10, and 9 to and along Reese Road (County Road #1112) to Barth Quarry Pond/Nolin Grade Road (County Road #1133); thence south along Nolin Grade Road (County Road #1133) to Nolin and continuing in a southwesterly direction along Cunningham Road (County Road #1362) to the west section line of Section 12, Township 2 North, Range 29; thence south along section lines to the southwest corner of the county; thence east along the south county line to southeast corner of the county; thence northerly and easterly along the county line to the northeast corner of Section 4, Township 2 South, Range 35; thence west along section lines to the northwest corner of Section 6, Township 2 South, Range 34; thence north along section lines to the intersection of McKay Creek; thence northwesterly along McKay Creek to the intersection of the south boundary of the Umatilla Indian Reservation; thence west along the south boundary of the Umatilla Indian Reservation to the southwest corner of Section 6, Township 1 South, Range 33; thence north along the Umatilla Indian Reservation western boundary to the west 1/4 corner of Section 6, Township 2 North, Range 33; thence East to the West line of Section 5,

Township 2 North, Range 33; thence North to the Northwest corner of said Section 5; thence East to the Northeast corner of Section 2, Township 2 North, Range 33; thence North to the Northwest corner of Section 36, Township 3 North, Range 33; thence East to the Southwest corner of Section 30, Township 3 North, Range 34; thence North to Northwest corner of said Section 30; thence East to Rothrock Road (County Road #857); thence North on Rothrock Road (County Road #857) to Midway Road (County Road #850); thence West on Midway Road (County Road #850) to State Highway 335; thence North on the Helix Highway #335 to Athena-Holdman Highway #334; thence West on said highway to State Highway #37; thence Northwesterly on Highway #37 to the point of beginning.

(2) ASA-2. Beginning at the Northwest corner of Umatilla County; thence South and East along the county boundary to the Southeast corner of Section 35, Township 1 North, Range 29 EWM; thence North along section lines to a point where it intersects with County Road #1362; thence northeasterly to Nolin; thence North on Nolin Grade Road to Barth Quarry Pond (intersection with Reese Road); thence northwesterly on County Road #1112 to the center of Section 10, Township 3 North, Range 30; thence East to the center point of the East line of Section 11, Township 3 North, Range 30; thence North along section lines to a point on the West line of Section 13, Township 4 North, Range 30 where an unimproved road intersects from the East; thence easterly on said unimproved road to the East section line of Section 13, Township 4 North, Range 30; thence North along section lines to the North county line; thence West along the county line to the Columbia River; thence South and West along the Columbia River to the Northwest corner of the county and the point of beginning.

(3) ASA-3 [Reserved]

(4) ASA-4. Beginning at a point on the east section line of Section 18, Township 6 North,

Range 33 EWM where it crosses the north boundary of Umatilla County; thence south along section lines to the southeast corner of Section 30, Township 6 North, Range 33 EWM; thence east along section lines to the southeast corner of Section 27, Township 6 North, Range 33 EWM; thence south along section lines to the southeast corner of Section 3, Township 5 North, Range 33 EWM; thence east along section lines to the northeast corner of Section 11, Township 5 North, Range 34 EWM; thence south along section lines to the southeast corner of Section 14, Township 5 North, Range 34 EWM; thence east along section lines to the northeast corner of Section 22, Township 5 North, Range 35 EWM; thence south along section lines to the southeast corner of Section 34, Township 5 North, Range 35 EWM; thence east along section lines to the northeast corner of Section 2, Township 4 North, Range 35 EWM; thence south along section lines to the center point of the west section line of Section 12, Township 4 North, Range 35 EWM; thence east along the centerline of Section 12 to the center point of the east section line of Section 12; thence south along the section line to the southeast corner of Section 12; thence east along section lines to the southeast corner of Section 9, Township 4 North, Range 36 EWM; thence south along the section line to the center point of the east line of Section 16, Township 4 North, Range 36 EWM; thence east along centerlines of sections to the center point of the west section line of Section 18, Township 4 North, Range 37 EWM; thence south along the section line to the southwest corner of Section 18, Township 4 North, Range 37 EWM; thence east along section lines to the east boundary of Umatilla County; thence north along the county boundary to the northeast corner of Section 6, Township 5 North, Range 39 EWM; thence west along the section lines to the northeast corner of Section 1, Township 5 North, Range 37 EWM; thence north along the section lines to the north boundary of the county; thence west along the north county boundary to the point of beginning.

(5) ASA-5. Beginning at a point on the

east section line of Section 18, Township 6 North, Range 33 EWM, where it crosses the north boundary of Umatilla County; thence south along section lines to the southeast corner of Section 30, Township 6 North, Range 33 EWM; thence east along section lines to the southeast corner of Section 27, Township 6 North, Range 33 EWM; thence south along section lines to the southeast corner of Section 3, Township 5 North, Range 33 EWM; thence east along section lines to the northeast corner of Section 11, Township 5 North, Range 34 EWM; thence south along section lines to the southeast corner of Section 14, Township 5 North, Range 34 EWM; thence east along section lines to the northeast corner of Section 22, Township 5 North, Range 35 EWM; thence south along section lines to the southeast corner of Section 34, Township 5 North, Range 35 EWM; thence east along section lines to the northeast corner of Section 2, Township 4 North, Range 35 EWM; thence south along section lines to the center point of the west section line of Section 12, township 4 North, Range 35 EWM; thence east along the centerline of Section 12 to the center point of the east section line of Section 12; thence south along the section line to the southeast corner of Section 12; thence east along section lines to the southeast corner of Section 9, Township 4 North, Range 36 EWM; thence south along the section line to the center point of the east line of Section 16, Township 4 North, Range 36 EWM; thence east along center lines of sections to the center point of the west section line of Section 18, Township 4 North, Range 37 EWM; thence south along the section line to the southwest corner of Section 18, Township 4 North, Range 37 EWM; thence east along section lines to the east boundary of Umatilla County; thence South along the East county line to the point where U.S. Forest Service Road FS 32 intersects with the East section line of Section 24, Township 2N Range 37; thence northerly on FS 32 to its intersection with County Road #900 at Bingham Springs; thence southwesterly along County Road #900 to the present East boundary of the original Umatilla Indian Reservation; thence North 20 degrees East

along said boundary to the headwaters of the South Fork of Wild Horse Creek or the Northeast corner of the original Umatilla Reservation; thence down the middle of Wild Horse Creek to the point where said creek is intersected by the North line of Section 32, Township 4 North, Range 35; thence West on a line between Sections 29 and 32, 30 and 31, of Township 4 North, Range 35, and between Sections 25 and 36 of Township 4 North, Range 34, to the Northwest corner of Section 36, Township 4 North, Range 34; thence South on the West boundary of said Section 36 to the Southwest corner thereof; thence West on the township line to the Northwest corner of Section 2, Township 3 North, Range 34; thence South on the West boundary of said Section 2 to the Southwest corner thereof; thence West on the section line to the quarter-section corner between Sections 3 and 10 of said Township 3 North, Range 34; thence South through the middle of Section 10 to the quarter-section corner on the South boundary thereof; thence West on the line between Sections 10 and 15 and 9 and 16 to the Northwest corner of Section 16; thence South on the section line between Sections 16 and 17, 20 and 21, to the Southeast corner of Section 20; thence West to the Northeast corner of Section 30, in said Township 3 North, Range 34; thence North on County Road #857 to North line of Township 3 North, Range 34 and County Road #850 (Midway Road); thence West along the section line on County Roads #850 and #960 to State Highway 335 in Section 35 in Township 4 North, Range 33; thence North on the State Highway 335 to State Highway 334; thence West on said highway to State Highway 37; thence northwesterly on State Highway 37 to the East line of Section 30, Township 5 North, Range 31; thence North along section lines to Northeast corner of Southeast quarter of Section 18, Township 5 North, Range 31; thence West to West line of Section 18; thence North along section lines to the Southwest corner of Section 30, Township 6 North, Range 31; thence northeasterly in a diagonal line to the Northwest corner of Government Lot 3, Section 16, Township 6 North, Range 31; thence East along the county line to the point of beginning.

(6) ASA-6. Beginning at the northwest corner of Section 18, Township 6 North, Range 38 EWM; thence south along the section lines to the southwest corner of Section 31, Township 6 North, Range 38 EWM; thence east along the section lines to the east boundary of Umatilla County; thence north along the east boundary line to the north boundary of Umatilla County; thence west along the north county boundary to the point of beginning.

(7) ASA-7. Beginning at the west 1/4 corner of Section 6, Township 2 North, Range 33, being the point of beginning for this description; thence East to the West line of Section 5, Township 2 North, Range 33; thence North to the Northwest corner of said Section 5; thence East to the Northeast corner of Section 2, Township 2 North, Range 33; thence North to the Northwest corner of Section 36, Township 3 North, Range 33; thence East to the Southwest corner of Section 30, Township 3 North, Range 34; thence North to Northwest corner of said Section 30; thence East to Southwest corner of Section 21, Township 3 North, Range 34; thence North to Northwest corner of Section 16, Township 3 North, Range 34; thence East to North-South centerline of Section 10, Township 3 North, Range 34; thence North to North line of said Section 10; thence East to Northeast corner of said Section 10; thence North to Northwest corner of Section 2, Township 3 North, Range 34; thence East to Northeast corner of said Section 2; thence North to Northwest corner of Section 36, Township 4 North, Range 34; thence East to the point where the middle of Wild Horse Creek is intersected by the North line of Section 32, Township 4 North, Range 35; thence up the middle of Wild Horse Creek to the headwaters of the south fork of Wild Horse Creek in Section 15, Township 3 North, Range 36 or the Northeast corner of the original Umatilla Reservation; thence South 20 degrees West along said boundary to County Road #900 (Bingham Road); thence East along Bingham Road to its intersection of FS 32 Road; thence southerly on FS 32 Road to its intersection with the County Line in

Section 24, Township 2 North, Range 37; thence South and East along the County Line to the Northeast corner of Section 4, Township 2 South, Range 35; thence West along section lines to the Northwest corner of Section 6, Township 2 South, Range 34; thence North along section lines to the intersection of McKay Creek; thence northwesterly along McKay Creek to the intersection of the South boundary of the Umatilla Indian Reservation; thence West along the South boundary of the Umatilla Indian Reservation to the southwest corner of Section 6, Township 1 South, Range 33; thence North along the Umatilla Indian Reservation western boundary to the West 1/4 corner of Section 6, Township 2 North, Range 33, being the point of beginning for this description. (Ord. 92-02 passed 2-19-92; Ord. 2002-11, passed 12-18-2002; Ord. 2004-06 passed 4-7-2004; Ord. 2014-05 passed 1-21-2015; Ord. 2017-10, passed 6-28-2017)

FRANCHISES

§ 90.04 AMBULANCE SERVICE PROVIDERS; EXEMPTIONS

(A) No person shall provide emergency ambulance services in the county unless such person is franchised in accordance with the applicable provisions of this chapter.

(B) This chapter shall not apply to:

(1) Ambulance services and ambulances owned or operated under the control of the United States Government;

(2) Vehicles and aircraft being used to render temporary assistance in the case of a major catastrophe or emergency with which the ambulance services of the surrounding locality are unable to cope, or when directed to be used to render temporary assistance by an official at the scene of an accident;

(3) Vehicles operated solely on private property or within the confines of institutional grounds, whether or not the incidental crossing of any public street, road or highway through the property or grounds is involved; and

(4) Ambulances or vehicles transporting patients from outside the county to a health care facility within the county, or which are passing through without a destination in the county. (Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.05 AUTHORITY FOR AMBULANCE SERVICE AREA ASSIGNMENTS.

(A) The Board has the authority to assign an ASA within the county in compliance with ORS 682.015 to 682.991. Applications by new providers and requests for assignment change or revocation will be considered for approval if they will improve efficient service delivery and benefit public health, safety and welfare. Cities have the authority to develop and apply ambulance licensing ordinances within their jurisdictional boundaries, and nothing in this plan is intended to obviate that authority.

(B) Future updates to this plan and proposals for assignment changes will be the responsibility of the Board. The Board shall receive all requests for changes, present those requests to the Committee for their review and recommendations. Upon completing their review, the Committee shall present their recommendations to the Board. In addition, the Board has the authority to review service providers records and initiate an assignment change or service area revocation. For the purpose of this plan, the Board shall recognize the Committee as an advisory group.(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.06 APPLICATION FOR AMBULANCE

SERVICE FRANCHISE.

(A) Any person desiring to provide ambulance service within the county shall submit an application to be assigned an ASA. The application shall be submitted to the Administrator.

(B) Applications for franchises shall be on forms provided by the Board. In addition to information required on the forms, the Board may require additional information it deems necessary to insure compliance with this chapter.

(C) The applicant shall provide the following information:

(1) The name and address of the person or agency applying.

(2) The ASA the person desires to serve, the location(s) from which ambulance services will be provided, and the level of service to be provided.

(3) A statement as to whether or not the person will subcontract for any service to be provided. If some service will be provided by subcontract, a copy of that subcontract shall be provided.

(4) A list of vehicles to be used in providing emergency ambulance services including year, make and model, and verification that each vehicle is licensed as a basic and/or advance life support ambulance by the Oregon Health Authority.

(5) A statement that all equipment and supplies in each ambulance conforms to Oregon Health Authority standards.

(6) A list of personnel to be used in providing emergency ambulance service and their current Emergency Medical Technician level and certificate number, provided by the Oregon Health Authority, or other appropriate certification.

(7) Proof of financial ability to operate, including an operating budget for public bodies or financial statement for private entities, references and/or statement of past ambulance service. Private companies must include a profit and loss statement in addition to the above materials. Other appropriate financial information, such as income, tax returns, or reports by governmental authorities shall also be submitted upon request. Public bodies must provide information regarding the sources and amounts of funding for emergency ambulance services.

(8) Proof of public liability insurance in the amount of not less than the limits set by the Oregon Tort Claims Act under ORS Chapter 30.

(9) A statement of experience in providing emergency ambulance service of a comparable quality and quantity to insure compliance with this chapter, regulations promulgated thereunder, any franchise issued, and the ASA Plan.

(10) Proof of ability to comply with the terms and conditions of the ASA Plan and applicable county ordinances, in the form of a narrative summary.

(11) A description of any prepaid ambulance service plan (e.g., FireMed), including number of members, number of years of operation, funding and term.

(12) Information, in the form of run logs, medical director correspondence, audit reports, training records, policy and procedure manuals, standard operating practices (SOPs), standard operating guidelines (SOGs), and equipment records and inventories, and any other records or materials requested.

(13) In the case of an application to transfer or take over an already assigned franchise:

(a) A detailed summary of how the

proposed change will improve emergency ambulance response time, and the quality and level of services to the ASA. It shall include an assessment of how the proposed change will impact the existing first response system.

(b) Evidence that the call volume in the ASA is sufficient to financially or otherwise justify the change in service.

(c) Information, in the form of run logs, medical records, medical director correspondence, audit reports, training records, policy and procedure manuals and equipment records and inventories, and any other records or materials requested.

(D) The Board may from time to time, by order, adopt fees to defray the actual reasonable costs incurred by the county in processing applications, and adopt annual franchise fees to defray the reasonable costs of the county in administering this chapter.

(E) The applications shall be reviewed by the Committee and shall recommend the assignment of the ASAs to the Board. The assignment of an ASA shall be made by an Order of the Board. (Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.07 REVIEW OF APPLICATION FOR FRANCHISE.

(A) Applications shall be reviewed by the Committee, who shall make such investigation as it deems appropriate, and who may request assistance of other persons as necessary.

(B) The administrator shall notify the holder of a franchise for providing emergency ambulance service to an ASA of any applications by another person to take over that franchise.

(C) Unless the time is extended by the Board

for good cause, the Committee shall make its recommendation to the Board to grant, deny, modify or attach appropriate conditions to the application. The Committee shall transmit its recommendation within 60 days after the application and any required supplemental information has been received.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.08 BOARD ACTION ON APPLICATION FOR FRANCHISE.

Upon receipt of the Committee's recommendation, the Board:

(A) Shall publish notice of its intent to hold a public hearing on the application and recommendations at least 10 days, but not later than 30 days following publication of notice.

(B) May require additional investigation by the Committee if it finds that there is insufficient information on which to base its action.

(C) Shall, upon the basis of the application, the Committee's recommendation, such other information as is permitted by this chapter, and such information as is presented to the Board at the public hearing make an order granting, denying or modifying the application or attaching conditions.

(D) Shall not make an order adverse to the applicant or to the holder of; or applicant for, another franchise effective less than 30 days after the date of such order and shall notify such persons in writing of the order. The Board may suspend operation of this subsection and enter an emergency order if it finds that there is an immediate and serious danger to the public or that a health hazard or public nuisance would be created by a delay.

(E) After the Board makes an order granting an emergency ambulance service franchise, with or

without conditions, and the franchisee is unable to provide a particular service, the Board may permit the franchisee to subcontract such service to another person if the Board finds that the quality and extent of the service would not be jeopardized. The Board may require the filing of such information as it deems necessary.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.09 FRANCHISE TERMS AND RENEWALS.

(A) Unless the Board finds that a longer or shorter term is required in the public interest, the term of an ambulance service franchise shall be three years, beginning on July 1 of a year and ending June 30 three years later.

(B) Unless grounds exist for refusal to renew a franchise under provisions for suspension or revocation as set forth in this chapter, or unless the franchise is to be given to a new person, franchises shall be renewable. Application for renewal shall be made on forms provided by the Board.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.10 SYSTEM ELEMENTS.

In order to maintain functional elements of the Ambulance Service in Umatilla County, the following system elements shall be observed;

(A) Requests for service. Umatilla County, as of July 1, 2014, has 2 (Two) Public Safety Answering Points (PSAP)'s, one in Pendleton at the Umatilla County Justice Center, and the other in Milton-Freewater City Hall. Overflow calls to Milton-Freewater are automatically routed to Umatilla County Dispatch. A secondary answering service is located on the Confederated Tribes of the Umatilla Indian Reservation. This secondary answering service dispatches for the Tribal Fire

Department (ASA 7) through direct calls to their dispatch center, and through 9-1-1. The 9-1-1 calls are answered at the Umatilla County Dispatch Center, and then transferred by phone to the Tribal dispatch center. All calls are dispatched via tone alert.

(B) Pre-arranged Non-emergency Transfers and Inter-facility Transfers. All pre-arranged non-emergency transfers and inter-facility transfers shall be determined by the transferring agencies, with radio notification by the transferring service provider to the appropriate PSAP. Service providers shall notify Dispatch at time of departure and time of return to service.

(C) Notification/Response Times. A dispatch time of 45 seconds from receipt of call to tone out for Umatilla County Dispatch Center shall be observed. A dispatch time of 60 seconds from receipt of call to tone out for Milton-Freewater Dispatch Center shall be observed.

(D) Level of Care. Level of Care shall be no less than that required by State Statute and Administrative Rule for ALS, ILS, and BLS. This shall include any and all new or revised certification level requirements.

(E) Personnel available for first response vehicles and ambulances;

County wide: First out ambulance - There shall be no less than 1 (One) EMT Basic and 1 (One) CPR/First Aid Certified personnel on the first responding ambulance.

ASA 1: First out ambulance - 2 (Two) Paramedics

ASA 2: First out ambulance - 1 (One) Paramedic and 1 (One) EMT Basic

ASA 4: First out ambulance - 1 (One) EMT Paramedic and 1 (One) EMT Basic

ASA 5: First out ambulance - 1 (One) Paramedic and 1 (One) EMT Basic

ASA 6: First out ambulance - 1 (One) Paramedic and 1 (One) EMT Basic

ASA 7: First out ambulance - 1 (One) Paramedic and 1 (One) EMT Intermediate

(F) Medical supervision of all medically trained emergency response personnel. All medically trained emergency response personnel in Umatilla County shall be supervised by a Licensed Supervising Physician, as stated in OAR 847-035-0001 (12).

(G) Patient care equipment for first response vehicles and ambulances. All patient care equipment shall meet or exceed the minimum required by OAR 333-255-0070, -0071, and -0072.

(H) Vehicle, vehicle equipment and safety requirements. All ASA assigned ambulances operating in Umatilla County shall be constructed and maintained as required by OAR 333-255-0060.

(I) Training/Continuing Education. All ASA assigned personnel operating in Umatilla County shall be trained and licensed according to OAR 333-265-0040 through 333-265-0110.

(J) Maintenance of Training/Continuing Education records. All training and continuing education records shall be kept in accordance with OAR 333-265-0140.

(K) Displaying of EMS Provider Licensure Level. All ASA assigned personnel operating in Umatilla County shall display the level of licensure on the outermost garment of usual work uniform according to OAR 333-265-0170.

(L) Quality Improvement. All ASA franchisees in Umatilla County shall have a written Quality Improvement Program approved by its EMS Medical Director in accordance with OAR

333 250 0041 (7) - (9)
(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.11 NOTIFICATION; RESPONSE TIMES.

(A) The County ASA system response times shall be as depicted on the county time zone map 90% of the time, barring inclement weather or other extraordinary conditions.

(B) Provider response time shall be as listed as follows for 90% of the calls: Urban - 6 min.; Suburban - 13 min.; Rural - 43 min.; and Frontier - 4 hours and 28 min.

(C) System response time shall be as listed as follows for 90% of the calls: Urban - 8 min.; Suburban - 15 min; Rural - 45 min.; and Frontier - 4 hours and 30 min.

(D) Monitoring of notification and response times shall be accomplished by the following:

(1) Information received from the public, dispatch center, prehospital care providers, hospitals, or county EMS administration.

(2) Types of information received are written or verbal complaints, patient care report forms, radio transmission tapes, notification and response time incident cards, trauma registry forms, etc.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.12 DUTIES OF AMBULANCE SERVICE FRANCHISEE.

(A) The franchisee shall conduct its operation in compliance with all applicable state and federal laws, rules and regulations, the terms of this chapter and the county ASA Plan;

(B) The franchisee shall not fail or refuse to respond to an emergency call for service when ambulance is available for service;

(C) The franchisee shall not respond to a medical emergency located outside its assigned ASA except:

(1) When a request for specific emergency ambulance service is made by the person calling for the ambulance and the call dose not dictate an emergency response;

(2) When the franchisee assigned to the ASA is unavailable to respond and the franchisee is requested by another franchisee or 911 dispatch to respond; or

(3) When the response is for supplemental assistance or mutual aid.

(D) The franchisee shall not voluntarily discontinue service to his/her its assigned ASA until it has:

(1) Given 60 days written notice to the administrator, or

(2) Obtained written approval of the Board.

(E) Section (D) above shall not apply to:

(1) Change, restriction or termination of service when required by any public agency, public body or court having jurisdiction; or

(2) Transfer of franchises pursuant to this chapter.(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.13 AMBULANCE SERVICE AREA (ASA) ADVISORY COMMITTEE.

(A) The Board, in order to ensure the delivery

of the most efficient and effective prehospital emergency care possible with the available resources, has directed that the ASA Advisory Committee be established.

(B) There is hereby created an Ambulance Service Area (ASA) Advisory Committee.

(1) The Committee shall consist of 16 members:

- (a) County Health Officer - 1;
- (b) 911 Manager or Supervisor - 1;
- (c) Ambulance service providers - 2;
- (d) Fire Department Representative - 1;
- (e) Emergency Physician - 1;
- (f) Hospital Administrator - 1;
- (g) Medical Director (one from each ASA) - possibly 7; and
- (h) Public members - 2.

(2) The administrator and other county staff as the Board deems appropriate shall be ex-officio members of the Committee.

(C) Members shall be appointed by and serve at the pleasure of the Board. The Board may appoint additional persons to the Committee to serve as ex-officio members or advisors. The Board may appoint or approve designation of alternates to serve in the absence of persons appointed to the Committee.

(D) Appointments shall be for two year terms. Members shall serve until their successors are appointed and qualified. Vacancies shall be filled by the Board for the balance of the unexpired term. Persons may be appointed to successive terms.

(E) The Committee shall elect a chairperson. The Committee shall meet at such times as it deems necessary or as called by the Administrator or the Board. The chairperson or any two members of the Committee may call a special meeting with five days notice to other members of the Committee; provided however, that members may waive such notice.

(F) Five members constitute a quorum for the transaction of business. A majority vote of those present and voting is required to pass motions. Members may participate and vote by conference call.

(G) In addition to other duties prescribed by this chapter the Committee shall:

(1) Review and make recommendations to the administrator regarding the selection criteria for determining a franchise to provide ambulance service.

(2) Regularly provide information to the Board from pre-hospital care consumers, providers and the medical community.

(3) Periodically review the ASA Plan and make recommendations to the Board including, but not limited to:

(a) Review the standards established in the Plan and make recommendations regarding improvement of or new standards as required by OAR 333-260-0050;

(b) Monitor the coordination between emergency medical service resources;

(c) Review dispatch procedures and compliance; and

(d) Review the effectiveness and efficiency of the ASA boundaries.

(4) Perform such other duties as directed

by the Board.

(H) Committee members shall avoid acting in any matters where a conflict of interest may arise. Any Committee member having a direct or indirect financial or pecuniary interest in any matter before the Committee for consideration shall withdraw from participation in any action by the Committee is said matter. Nothing in this section shall limit the ability of any person to provide testimony to the Committee.

(I) The Committee will be activated at any time a concern is submitted, in writing, to the Board, or when deemed appropriate by seven or more members of the Committee.

(J) This Committee, as with any governmental body, will be subject to the Oregon Open Meeting Law (ORS Chapter 192), but may temper its activities, within legal limits, according to the sensitivity of the EMS matter involved. Appeals from the Board, in any case where the Board would otherwise have the final decision at the county level shall be directed to the appropriate state regulatory agency, or a Circuit Court, as appropriate.

(K) The Committee shall submit a brief written report of its activities or recommendations periodically to the Board.

(L) Existence of this committee will:

(1) Prevent needless attention of state regulatory agencies to problems that can be resolved locally;

(2) Increase local awareness of potential problems that may exist; and

(3) Increase the awareness of ambulance medical directors regarding area concerns and activities.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.14 COORDINATION

(A) ASA Plan Review. The Umatilla County ASA Committee shall review the ASA Plan every 3 years, when proposed changes are requested, or at the direction of the Umatilla County Board of Commissioners.

(B) Mutual Aid/Automatic Aid Agreements. All ASA providers in Umatilla County are requested, but not required, to sign a Mutual Aid Agreement with the other providers in the County, and with the City of Walla Walla, WA Fire Department, Morrow County Health District (Morrow County), Elgin Ambulance (Union County) Union Ambulance (Union County), and Blue Mountain Hospital District Ambulance (Grant County). It is understood that the City of Walla Walla Fire Department will not respond to a Mutual Aid Request from Milton-Freewater Rural Fire Department, a private company providing service under contract to Milton-Freewater Ambulance Service Area Health District. Mutual Aid to Milton-Freewater Ambulance Service Area Health District will be provided by the neighboring districts. Automatic Aid from Morrow County Health District (Morrow County), Elgin Ambulance (Union County) Union Ambulance (Union County), and Blue Mountain Hospital District Ambulance (Grant County) shall not apply. All requests for Mutual Aid shall be through the appropriate PSAP. Mutual Aid/Automatic Aid Agreements shall be reviewed every 5 years, or as necessary.

(C) Disaster Response.

(1) County Resources other than ambulances. Service providers are expected to perform a size up of the situation and request, through PSAP's, any additional equipment needs. Umatilla County has a resource list of available public and private providers/vendors.

(2) Out of County Resources. Union,

Morrow, and Grant County have signed the MAA regarding ambulance service. The City of Walla Walla, and Fire District 4, in Walla Walla County, Washington have also signed the MAA with exceptions.

(D) Mass Casualty Incident Plan. Umatilla County does not have a written MCI Plan. A committee has been formed, but there has been no recent action.

(E) Response to Terrorism. No specific plan is in place for Terrorism.

(F) HAZ-MAT. Umatilla County ASA's utilize the Hermiston Fire and Emergency Services HAZ-MAT Team.

(G) Search and Rescue. Umatilla County ASA's utilize the Umatilla County Search and Rescue Team.
(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.15 EARLY DISCONTINUANCE OF SERVICE BY FRANCHISEE.

(A) If a franchisee discontinues service before the expiration of its franchise, the Board shall set a time by which applications must be submitted for a new franchise in the ASA.

(B) The Committee shall develop an interim plan for coverage of the ASA, using existing franchisees and/or other available resources until the ASA can be reassigned.

(C) The Board shall issue a temporary certificate, valid for a stated period not to exceed six months, entitling a person to provide emergency ambulance service in all or part of the ASA. The Board may renew a temporary certificate for one additional six month period.(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§90.16 TRANSFER OF FRANCHISES.

A franchisee may transfer his/her its franchise to another person only upon written notice to and approval by the Board. Review of an application for transfer of a franchise shall be conducted in the same manner as for a new or renewal application pursuant to this chapter.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

ADMINISTRATION

§ 90.17 ADMINISTRATION.

The administrator, under the supervision of the Board and with the assistance of the Committee, shall be responsible for the administration of this chapter. In order to carry out the duties imposed by this chapter, the administrator, or persons authorized by the administrator, are hereby authorized to enter on the premises of any person regulated by this chapter at reasonable times and in a reasonable manner to determine compliance with this chapter and regulations promulgated pursuant thereto. The administrator shall also have access to records pertaining to ambulance service operations of any person regulated by this chapter. These records shall be made available within five working days to the administrator at the person's place of business, or copies made and provided as requested by the administrator.(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.18 PROBLEM RESOLUTION.

Problems involving protocol deviation by EMTs or dispatchers shall be referred to the respective medical director or dispatch supervisor. Problems involving a non-compliant provider shall be referred to the Board. The Board may seek background data and recommendations from the

Committee in such instances. However, any member of the Committee who may have a conflict of interest in the matter shall declare such conflict and refrain from participating in any recommendations made.(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.19 ENFORCEMENT OF FRANCHISE PROVISIONS.

(A) (1) Subject to the policies stated in this chapter , and in addition to the remedy and penalties provided elsewhere in this chapter, the administrator shall, upon reasonable cause, make an investigation to determine if there is sufficient reason and cause to suspend, modify, revoke or refuse to renew a franchise as provided in this division.

(2) If in the judgment of the Committee or Board, there is sufficient evidence to constitute a violation of applicable local, state or federal law, this chapter, ORS Chapter 682 or the Rules promulgated thereunder, the ASA Plan, or if the franchisee has materially misrepresented facts or information given in the application for the franchise, the Board shall a notify the franchisee in writing, by certified mail return receipt requested, or by personal service as is provided by law for the service of a summons, of the violation and what steps must be taken to cure the violation. The Board shall send a copy of the notice to the Committee.

(3) Ten days following the receipt of notice of violation, the Board may enter its order of revocation, modification, suspension or non-renewal, and may thereby revoke, modify, suspend, or not renew the franchise, unless prior thereto the franchisee shall file with the Board his request for a hearing on the Board's notice of violation. If said request is timely filed, or if the Board so moves on its own, revocation, modification, suspension, or non-renewal will be

stayed until the Board can, at its earliest convenience, hold a public hearing thereon. Notice of said hearing shall be given to the franchisee by mail and to all others by publication in a newspaper of general circulation in the county or the ASA at least ten days prior to such hearing. The burden of proof at the hearing held hereunder shall be upon the franchisee.

(B) In lieu of the suspension or revocation of the franchise, the Board may order that the violation be corrected and make the suspension or revocation contingent upon compliance with the order within the period of time stated therein. Notice of the Board action shall be provided by mail to the franchisee. The notice shall specify the violation, the action necessary to correct the violation, and the date by which the action must be taken. The franchisee shall notify the Board of the corrective action taken. If the franchisee fails to take corrective action within the time required, the Board shall notify the franchisee by certified mail, return receipt requested, or by personal service that the franchise is suspended or revoked upon service of the notice.

(C) Should the franchisee fail to comply with the Board's order, then the Board may take any steps authorized by law to enforce its order. (Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.20 PREVENTING INTERRUPTION OF SERVICE.

Whenever the Board finds that the failure of service or threatened failure of service would adversely impact the health, safety or welfare of the residents of this county, the Board shall, after reasonable notice, but not less than 24 hours notice to the franchisee, hold a public hearing. Upon appropriate findings after the hearing, the Board shall have the right to authorize another franchisee or other person to provide services. (Ord. 92-02 passed 2-19-92; Ord. 96-06 passed

4-3-96; Ord. 2014-05 passed 1-21-2015)

4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.21 APPEALS AND ABATEMENT.

(A) All the decisions of the Board under this chapter shall be reviewable by the Circuit Court of the state for the county, only by way of writ of review.

(B) The provision of emergency ambulance service by any person in violation of this chapter, or regulations promulgated thereunder, is a nuisance and the Court may, in addition to other remedies provided by law or by this chapter, institute injunctive abatement or other appropriate legal proceedings to temporarily or permanently enjoin or abate such emergency ambulance service.
(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.22 REGULATIONS OF AMBULANCE SERVICE.

Upon its own motion or upon a recommendation of the Committee, the Board may adopt ordinances, resolutions or orders regulating emergency ambulance service or implementing this chapter. Such regulations shall not conflict with ORS Chapter 682 and rules promulgated pursuant thereto.
(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.23 INITIAL RESPONDER.

Nothing in these provisions prohibits a 911 agency, responsible for the dispatching of emergency services, from dispatching an initial responder to the scene of a medical emergency in addition to dispatching an emergency ambulance service provider.
(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed

§ 90.24 SEVERABILITY; AMENDMENT

(A) Any judgment or declaration by any court of competent jurisdiction that any portion of this chapter is unconstitutional or invalid shall not invalidate any other portion of this chapter.

(B) Upon recommendation of the Committee or upon its own motion, the Board may from time to time amend the provisions of this chapter. Amendments shall be made only after a public hearing before the Board with such advance notice of the hearing as deemed appropriate by the Board or as generally provided by ordinance, regulation or order of the Board.
(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

§ 90.25 PENALTY.

(A) Any person who violates any provisions of this chapter is guilty of a violation. Failure from day-to-day to comply with the terms of this chapter shall be a separate offense for each such day. Failure to comply with any provision of this chapter shall be a separate a offense for each such provision.

(B) In addition to the penalties provided below, violations of any of the provisions of this chapter is declared to be a nuisance and may be regarded as such in all actions, suits, or proceedings.

(C) Violations of these provisions are punishable, upon conviction, by a fine of not more than \$500 for a non-continuing offense, i.e., an offense not spanning two or more consecutive calendar days. In the case of a continuing offense, i.e., an offense which spans two or more consecutive calendar days, violation of the provisions is punishable by a fine of not more than

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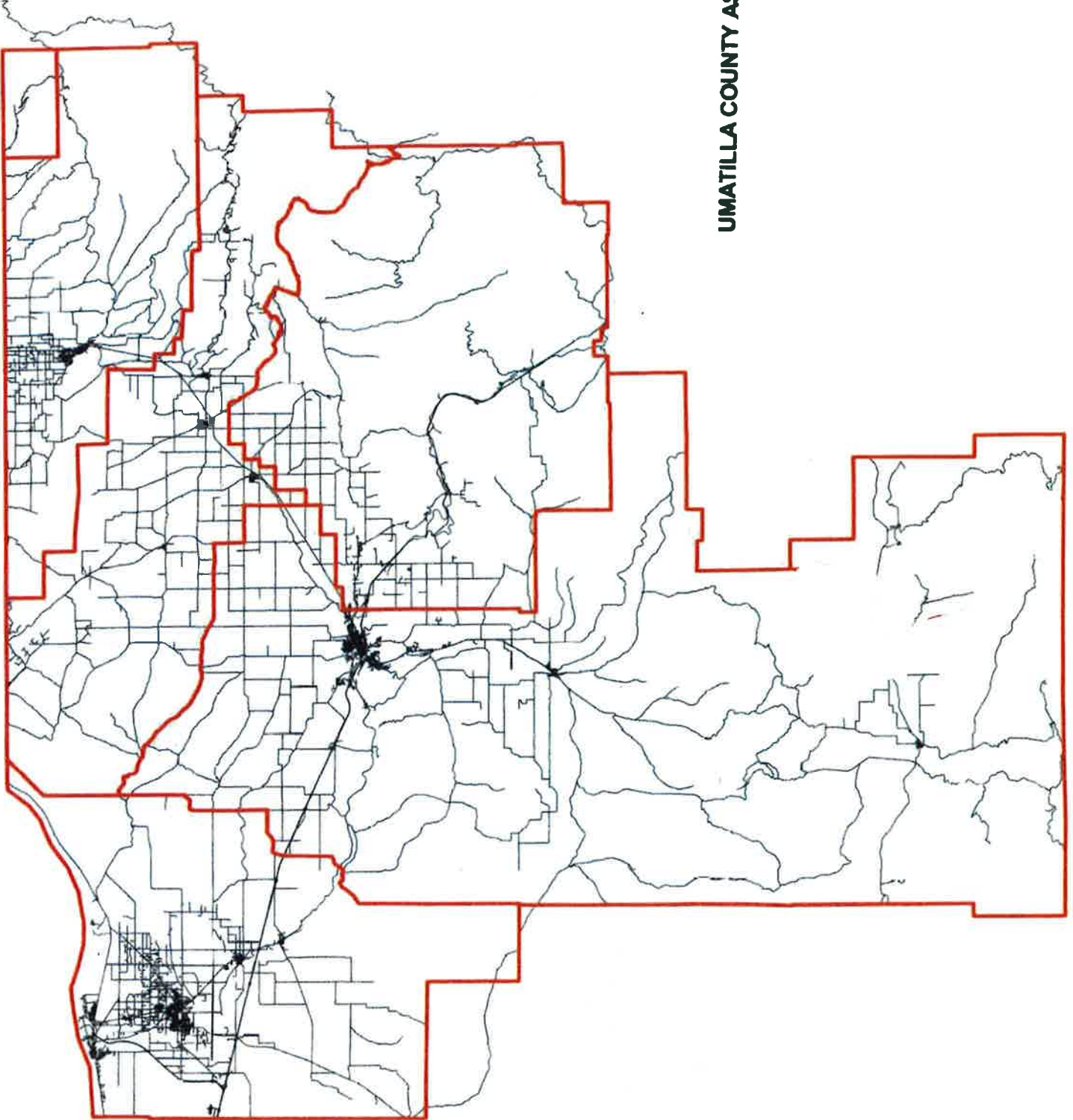
\$500 per day up to a maximum of \$1,000 as provided by law.

(Ord. 92-02 passed 2-19-92; Ord. 96-06 passed 4-3-96; Ord. 2014-05 passed 1-21-2015)

APPENDIX A MAPS

Map 1. Ambulance Service Areas

Map 2. Ambulance Service Area Response Times



UMATILLA COUNTY ASA