

CHAPTER 75 MISCELLANEOUS HEALTH PROVISIONS

75-15. Ambulance Certification Regulations. 1. DEFINITIONS. In this section:

- a. "Advance life support" is defined in HFS 112, Wisconsin Administrative Code, and incorporated herein by this reference.
 - b. "Ambulance" means a specifically equipped vehicle for transport of the sick, disabled, or injured.
 - c. "Ambulance rate" means the base fee for ambulance conveyance which cannot be exceeded by certified ambulance providers on city authorized dispatch.
 - d. "Basic life support" is defined in HFS 110, Wisconsin Administrative Code, and incorporated herein by this reference.
 - e. "Chief" means the Chief of the Fire Department.
 - f. "~~Central~~MFD dispatch" means a process that includes the reception and processing of all calls for emergency medical assistance as a single communications center. The fire department is the single communications center.
 - h. "City-wide emergency medical service system" means a system composed of fire department personnel and equipment, and private sector personnel and equipment for the purpose of providing advanced and basic life support ambulance transport, respectively conveyances within city limits.
 - i. "Committee" means the Public Safety Committee, designated by the Common Council as responsible for ambulance service regulations.
 - j. "Emergency medical services" (EMS) means those services which are required as a result of an unforeseen attack of illness or an injury. These include rescue, ambulance, emergency department, communications and public education services.
 - k. "Emergency medical technician" is defined in HFS 110, Wisconsin Administrative Code. ~~(EMT) means a person responsible for the administration of emergency care procedures or proper handling or transporting of the sick or disabled, who has successfully passed a course of EMT instruction sponsored by the Wisconsin Department of Transportation, public health service, or its equivalent (sometimes referred to as "basic" (EMT).~~
 - l. "Fire department" means the city of Milwaukee fire department.
 - m. "Private sector" means any person, firm, partnership or corporation within the city providing ambulance transport services on a fee-for-service basis.
 - n. "Provider" means private sector participating within the city-wide emergency medical services system.
 - o. "Service area" means a geographically defined area within the city assigned in accordance with sub. 13.
 - p. ~~"Support status" means a status whereby a certified provider, in lieu of being assigned a service area, receives dispatch calls to which the designated provider within the assigned service area cannot promptly respond. If more than one certified provider is given support status, the common council, upon the advice of the board and the recommendation of the committee, shall determine the manner in which such calls are to be distributed.~~
- 2. AMBULANCE SERVICE BOARD-SERVICE AREA AGREEMENT.**
- a. ~~Establishment. An ambulance service board is established consisting of the chair of the public safety committee of the common council, who shall serve as chair, the commissioner of health, the chief of the fire department, the medical director of the Milwaukee County paramedical program, a designee of the Emergency Medical Services committee of the Medical~~

Society of Milwaukee County, a designee of the Wisconsin Health and Hospital Association and a public member representing the interests of citizens who shall be appointed by the mayor and confirmed by the common council. Except for the public member and unless employed by the city, board members are not required to be city residents. The public member shall be appointed no later than 60 days after the third Tuesday in April in even-numbered years to a 2-year term expiring on the third Tuesday of April 2 years thereafter. When a vacancy occurs in the public member position the mayor shall make an appointment within 60 days after the vacancy occurs.

b.A. Duties. b-1. The board shall advise the Committee ~~on~~ shall have jurisdiction over all matters pertaining to issuance, renewal, suspension, revocation and reinstatement of certificates, and shall, consistent with sub. 13, assist in the development of service plans, award Service Area Agreements to qualified providers.

b-2.B. The Committee, with the assistance of the Chief of the Milwaukee Fire Department, shall develop a Service Area Agreement between the City and the certified providers, for the purpose of specifying appropriate rules, regulations, procedures and service standards as required for the operation of the emergency medical service system.

3. CERTIFICATION. No person or provider shall within the city act as a city-wide emergency medical service system provider without first having obtained a certificate as provided under this section. This section applies only to providers supplying emergency services on a city-wide dispatched basis.

4. APPLICATION FOR CERTIFICATION AND SERVICE AREA. a. Application for certificates under this section shall be filed with the health department on forms approved by the Committee. ~~The board and the Committee are~~ is authorized to require sufficient information to determine the qualifications of the applicant to engage in the business of providing basic and advance-life support system ambulance transport services-conveyances. The application signed in proper form shall be presented to the Common Council, for referral to the Committee for its recommendation.

b. Each applicant shall be fingerprinted and shall furnish, together therewith, name, date of birth, address, name and address of employer, a statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance other than traffic violations, and any other information required by the license committee, subject to s. 111.335, Wis. Stats. On renewals of previously issued certificates, it shall not be necessary to fingerprint the applicant. If the applicant for a certificate is a partnership, all partners shall sign the application and be fingerprinted. If the applicant for a certificate is a corporation, the president, vice-president, secretary and treasurer shall sign the application and be fingerprinted. If the applicant is an L.L.C., then all members and agents shall sign the application and be fingerprinted.

c. Any applicant for initial or renewal certification shall be considered as having made application for the next scheduled service period, as established by sub. 13-b. All applications for initial or renewal certification shall be filed not later than September 30, to be eligible for certification for the next service period.

5. FEES. An applicant filing an initial application for a certificate or an application for renewal shall pay the fee required in ch. 60. If an initial application or application for renewal is denied, no fee paid shall be refunded.

6. INVESTIGATION. Upon receipt of the application, the matter shall be referred to the chief of police, who shall cause an investigation of the applicant's moral character to be made for the protection of the public health, welfare and safety. As part of such investigation, the chief of

police shall report to the health department all convictions, other than traffic violations, of the applicant, together with any other information in the possession of the police department as to the business conduct and moral character of the applicant. In addition to such information, the chief of police shall include a recommendation for the allowance or denial of the certificate for which the application is made.

7. HEARING. a. Upon referral of an application for certification from the Common Council to the Committee, the Committee shall schedule a hearing thereon. Prior to such hearing, the Committee shall submit the application to the ~~board~~ Chief for ~~its~~ his or her consideration and advice.

b. The applicant shall receive notice of the hearing not less than 10 days prior to the hearing. At the hearing, the applicant may be represented by counsel, present witnesses and cross-examine any adverse witnesses under oath, and receive a transcript of the hearing at the applicant's expense.

c. At the conclusion of such hearing, a recommendation shall be made by the Committee to the Common Council. ~~Any member of the committee who votes to deny an application shall state~~ The basis for the vote shall be stated on the record.

8. CERTIFICATE ISSUANCE. The health department shall issue to each person qualifying under this section a certificate on which there shall be the person's true first name, surname and middle initial, the number of the certificate, and the period of time for which the certificate is valid. The certificate shall be in such form so to avoid alteration. Such certificate shall be maintained by the provider and shall be exhibited to any person requesting to see the same at any time while the person is engaged in providing services. Furthermore, the health department shall assign to each qualified person a series of numbers which shall be used to identify the provider's ambulances. These numbers shall be placed on the front doors of the ambulances and shall be at least 5 inches high and in a color to contrast with the background on which it is placed.

9. DENIAL OF CERTIFICATE. a. The Committee may recommend the denial of any application for certification for any of the following reasons:

a-1. The applicant is not of good character.

a-2. The applicant has violated any of the required or prohibited practices set forth in this section.

a-3. The applicant's previous certificate has been revoked for any reason whatsoever.

a-4. The applicant's inability to substantially understand the required business regulations provided by this section.

a-5. The qualifications of the applicant, when compared with the qualifications of applicants receiving a recommendation of approval, is deficient in any material respect.

a-6. The applicant's failure in the past or refusal in the future to act in accordance with this section.

a-7. The applicant's physical location for operations is not within the city of Milwaukee limits.

b. The ~~common council~~ Committee may, upon receipt of the recommendations of the ~~committee~~ Common Council for approval or denial of the applications for certification, grant the number of certificates which, in its discretion and its judgment, the public welfare, safety and interest require. Thereafter, a list of those providers granted certification by the ~~common council~~ Committee shall be provided to the ~~board~~ Common Council for designation of service area assignments or support status in a manner consistent with sub. 13.

10. INSPECTION. No ambulance shall be granted a permit to operate under the terms of this section until it has been inspected and found to be in a thoroughly safe condition for the

transportation of the sick and injured. The inspection shall be made by the Wisconsin department of transportation, division of state patrol, which shall determine that the ambulance complies with all the requirements set forth in s. 146.50, Wis. Stats. Verification of the inspection shall be provided to the ~~board~~ Committee at the annual certification hearing.

~~II. FINANCIAL RESPONSIBILITY.~~

~~a. Surety Bond or Insurance Policy Required. A provider must furnish the city with either:~~

~~a-1. A bond with a responsible surety company or association authorized to do business under the laws of the state of Wisconsin in the sum of \$100,000, conditioned that the provider will pay any final judgment rendered against the provider within the limits provided in this subdivision, irrespective of the financial responsibility or any act of omission of the provider for loss or damages that may result to any person or property from the negligent operation or defective condition or construction of the service, or which may arise or result from any violation of any of the provisions of this section or the laws of the state of Wisconsin. The recovery upon such bond shall be limited to \$50,000 for the injury or death of one person and to the extent of \$100,000 for the death or injury of 2 or more persons injured or killed in the same accident and to the extent of \$5,000 for the injury or destruction of property. Such bond shall be given to the city of Milwaukee and shall inure to the benefit of any and all persons suffering loss or damage either to person or property as herein provided, and suit may be brought in any court of competent jurisdiction upon the bond by any person or corporation suffering any loss or damage as herein provided. Such bonds shall be approved by the city attorney as to form and execution. The bond shall be a continual liability notwithstanding any recovery thereon and, if at any time, in the judgment of the mayor, the bond is not sufficient for any cause, the mayor may require the party to whom the license is issued as herein provided to replace the bond with another bond, satisfactory to the mayor, and in default thereof the provider's certificate issued under this section may be revoked.~~

~~a-2. A certificate of insurance, issued by a company authorized to do business in the state of Wisconsin, confirming that the provider has been issued a current policy insuring the provider against loss or damage that may result to any person or property from the operation of defective condition of the service, the policy of insurance to be in the limits of \$300,000 for any one person injured or killed, \$500,000 for all persons injured or killed in case of one accident resulting in bodily injury or death of more than one person, and \$100,000 for injury or destruction to the property of others in the case of accident. The policy shall guarantee payment of any final judgment rendered against the provider within the limits provided in this subdivision irrespective of the financial responsibility or any act of omission of the provider. If at any time the policy of insurance is cancelled by the issuing company, or the authority of such issuing company to do business in the state of Wisconsin is revoked, the mayor shall require the party to whom the certificate is issued to replace the policy with another policy satisfactory to the mayor, and in default thereof the provider's certificate issued under this section may be revoked.~~

~~b. Cancellation. All bonds and certificates shall be executed by a corporate surety or insurance company licensed to do business in the state of Wisconsin and shall have affixed an affidavit of no interest. All such bonds and certificates shall be approved as to form and execution by the city attorney before they are accepted by the health department, and shall contain a provision or endorsement by which the bondsmen or insurance carrier shall be required to notify the health department by registered mail or personal service of the cancellation of the bond or insurance policy. Notice of cancellation shall be received by the health department at least 30 days prior to the effective date of cancellation; otherwise, the policy shall remain in full force and effect. In~~

the event of cancellation of either the surety bond or certificate of insurance, the provider's certificate shall be deemed automatically revoked.

~~e. Exceptions. Private sector companies, not participating within the city-wide emergency medical service system, need not file the bonds of insurance required herein.~~

11. REQUIREMENTS. All persons certified under this section shall adhere to the following general conditions and specifications ~~concerning central dispatched service~~ which shall be incorporated into a standard Ambulance Service Provider Agreement to be entered into between the City and each service area provider:

a. Meet all ambulance and emergency medical conveyance rules, regulations, and laws of the city and county of Milwaukee, the state of Wisconsin and the United States.

~~b. Have each ambulance staffed by a minimum of 2 licensed ambulance attendants at all times. The attendants must meet applicable state of Wisconsin licensing requirements, the minimum being EMT I training. One of the 2 licensed ambulance attendants may have a training permit. A person with an ambulance attendant's license shall be in the patient compartment when transporting a patient. The ambulance attendant or a person with a training permit may be replaced by an emergency medical technician advanced (paramedic), registered nurse, physician's assistant or physician.~~

b. Have driver and attendants ~~EMT-Basic~~ with current Wisconsin driver's license, who must be bondable, and pass a physical examination approved by the city.

c. Require the driver and attendants ~~EMT-Basic~~ to have a working knowledge of city geography and vehicle equipment.

d. Have at least one attendant ~~EMT-Basic~~ with experience as an EMT ~~I~~ Basic for one year or equivalent experience, said experience to be determined by the ~~Chief commissioner of health.~~

~~f. Require that the ambulance driver have had previous driving experience with a police, fire, rescue or ambulance company.~~

e. Utilize only ambulances that are EMT ~~I~~ Basic constructed and equipped according to federal and state regulations as amended, and properly maintained as pertaining to cleanliness.

f. The ambulance shall contain a communication system as prescribed by the city to function within the city-wide emergency medical service system.

~~i. Require that attendants be attired in clothing suitable for performing emergency medical services.~~

g. Follow the uniform dispatch protocol ~~EMS Dispatch Guidelines~~ as prescribed by the fire department for emergency medical services.

h. All ambulances dispatched by the city shall be subject to routine-unannounced inspection by the city.

i. Perform the BLS ambulance transport services ~~in the most rapid and efficient manner available in accordance with the city of Milwaukee emergency medical services system handbook of operations.~~ Service Area Agreement.

~~m. In circumstances where the private sector anticipates that the time between its notification that an emergency has occurred and its arrival at the scene of an emergency may be greater than the response time specified in the system handbook of operations, the fire department dispatcher will be notified at the time of call and the call may be referred to other providers.~~

~~n. Convey victims of medical emergencies to hospitals approved by the city and which are closest to the scene of the emergency and follow whenever possible the recommendations of the commissioner of health. The final decisions as to where the victim is eventually transported rests with circumstances surrounding the medical emergency.~~

- j. Utilize prescribed ambulance report forms and provide the city with information concerning ambulance operations to effect a monitoring and review system.
- ~~p. Follow proper patient care protocol regarding medical care and treatment policies in accordance with the 81-hour U.S. department of transportation, national highway traffic safety administration basic training program for emergency medical technicians.~~
- k. Seek reimbursement from those ~~conveyed~~ transported, and provide the most economical service in accordance with accepted medical practice. The City of Milwaukee will not be responsible for collection or payment of any charge for services rendered by reason of its having dispatched the service relative to this section.
- l. Charge an ambulance rate which is approved by the ~~common council~~ Committee. The approval of the ambulance rate may be taken in conjunction with the ~~common council's~~ Committee's approval of the ambulance service plan, in accordance with the ambulance rate provisions of sub. 13.
- m. Charge fees for equipment and procedures other than the rate established under par. r. Such fees shall be determined by the ~~Chief commissioner of health and approved by the common council~~ Committee. The ~~Chief commissioner~~ shall review the fees on an annual basis, with any necessary adjustments being submitted to the ~~common council~~ Committee for approval in conjunction with approval of the ambulance rate ~~under par. r.~~
- n. Not pursue beyond a reasonable limit compensation for ~~conveyance~~ ambulance transport services where a ~~conveyed~~ transported party has demonstrated an inability to pay the service charge.
- o. Provide the city of Milwaukee with a 90 days' written notice directed to the health department before voluntarily terminating participation in the city-wide emergency medical service system.
- 12. SERVICE AREAS.** a. Criteria. In establishing and re-establishing the number and geographical boundaries of the service areas, the Common Council shall endeavor to provide effective ambulance service within the city-wide emergency medical service system. The Common Council shall take into consideration all the information obtained through the certification process, the service capacities of each prospective provider and the previous performances, if any, by each such provider. It shall consider the patients' ability to pay in all areas to be served.
- b. Assignment of Service Areas and Support Status.
- b-1. Service Plan Development. Following Common Council certification of one or more providers, the ~~board~~ Committee, with the assistance of the Chief, shall develop a proposed service plan to be utilized during the next service period. The plan shall include the number and boundaries of the service areas, and a designation of certified providers for assignment. ~~Prior to or upon certification, any provider may request in writing to be given support status in lieu of a service area. In addition, if the number of certified providers seeking service areas exceeds the number of service areas within the city-wide emergency medical service system, the board may assign one or more providers as having support status.~~ Each provider designated for service area assignment ~~or support status shall, within 7 days of announcement by the board~~ Committee of its proposed service plan, file a written response of its acceptance or objection to the plan. Each provider accepting the plan shall also file with the Committee a properly executed Service Area Agreement. The ~~board~~ Committee shall thereafter submit the plan to the ~~committee~~ Committee for its review and recommendation to the Common Council. Upon approval by the ~~common council~~ Committee of any service plan for the next scheduled service period, the plan shall be

implemented by the city-wide emergency medical service system for that period, subject to subd. 2.

b-2. Duration. Service plans shall be approved by the ~~common council~~ Committee for ~~5~~ 3-year periods, commencing January 1 and ending December 31. Notwithstanding such approval, the ~~board~~ Committee shall have emergency authority to modify determinations and assignments of service areas ~~or the support status of a provider during the pendency of any service period, and the common council~~ Committee may modify any service plan during the pendency of any service period when it appears that any one provider is receiving a disproportionate number of dispatch calls. The ambulance service ~~board~~ committee shall also review the service plan on an annual basis. If, during the annual review, the ~~board~~ Committee finds that there is a deviation in the number of dispatched calls of 3% or more above or below the norm of a 25% distribution of dispatched calls per provider, the ~~board~~ Committee shall consider making adjustments to the service areas and may modify them if the ~~board~~ Committee deems such necessary. The ~~board~~ Committee shall also provide the Common Council with the ~~board's~~ Committee's reasons for making or not making any changes in the service plan subsequent to the ~~board's~~ Committee's annual review.

~~b-3. Notwithstanding the period of the service plan specified in subd. 2, the plan commencing on January 1, 2005 may be for a period of less than 5 years.~~

c. Revocation of Service Area. The ~~board~~ Committee shall revoke the assignment of any service area for any provider no longer certified.

13. AMBULANCE RATE. a. The ~~commissioner of health~~ Chief annually shall review and report to the ~~common council~~ Committee by April 1 with respect to the ambulance ~~conveyance~~ rate established under par. c and recommend, if appropriate, an adjustment in the ~~conveyance~~ rate. The Common Council shall adopt and publish ambulance rates and ancillary charges annually.

~~b. Upon request, the legislative reference bureau shall provide the commissioner with information from health-related cost indexes, including the medical care component of the Milwaukee consumer price index issued by the U.S. bureau of labor statistics.~~

~~c. The rate charged for conveyance shall be as follows:~~

~~e-1. For patients who are residents of the city of Milwaukee, for Basic Life Support, \$396 and, for Basic Life Support—Emergency, \$396. In addition, for Advanced Life Support for patients who are residents of the city of Milwaukee conveyed under the terms of the Private Provider Interfacility Unit protocol, \$582. This charge shall in no way be construed so as to circumvent the role of the fire department as the designated responder to Advanced Life Support service calls.~~

~~e-2. For patients who are not residents of the city of Milwaukee, for Basic Life Support, \$458 and, for Basic Life Support—Emergency, \$458. In addition, for Advanced Life Support for patients who are not residents of the city of Milwaukee conveyed under the terms of the Private Provider Interfacility Unit protocol, \$582. This charge shall in no way be construed so as to circumvent the role of the fire department as the designated responder to Advanced Life Support service calls.~~

~~e-3. In addition to the charges provided in subds. e-1 and 2, a charge of \$11.75 per mile shall be assessed for mileage, mileage to be defined as the distance traveled with the patient in the ambulance from the point of patient origin to destination.~~

~~d. In those instances where a certified ambulance provider has a contract with any health maintenance organization with respect to establishment of fees for ambulance services for~~

persons insured through the organization, the fees established in the contract shall take precedence over those in par. c and sub. 15 and the provider shall charge only those fees established in the contract.

15. ~~AMBULANCE ANCILLARY CHARGES.~~ Pursuant to sub. 12-s, certified ambulance providers are authorized to charge the following ancillary charges:

- a. ~~_____~~ Airway
- a-1. ~~_____~~ Oropharyngeal ~~_____~~ \$ 1.69
- a-2. ~~_____~~ Nasopharyngeal ~~_____~~ 6.68
- b. ~~_____~~ Bag mask ventilator, 33.41
~~_____~~ adult or pediatric
- e. ~~_____~~ Bandaging
- e-1. ~~_____~~ Trauma dressing ~~_____~~ 3.98
- e-2. ~~_____~~ Kling 4" ~~_____~~ 1.70
- e-3. ~~_____~~ 5/9" dressing ~~_____~~ 0.41
- d. ~~_____~~ Blanket ~~_____~~ 7.76
- e. ~~_____~~ Burn sheet ~~_____~~ 8.03
- f. ~~_____~~ Cervical collar ~~_____~~ 22.88
- g. ~~_____~~ Cold pack ~~_____~~ 1.53
- h. ~~_____~~ Combitube ~~_____~~ 42.50
- i. ~~_____~~ Defibrillator pad ~~_____~~ 21.60
- j. ~~_____~~ Electrodes ~~_____~~ 2.03
- k. ~~_____~~ Epinephrine ~~_____~~ 35.15
- L. ~~_____~~ Gloves 1.62
- m. ~~_____~~ Head immobilizer ~~_____~~ 13.43
- n. ~~_____~~ Hot pack ~~_____~~ 1.78
- o. ~~_____~~ KED strap ~~_____~~ 20.18
- p. ~~_____~~ Laryngoscope blades ~~_____~~ 6.41
- q. ~~_____~~ Linens 4.95
- r. ~~_____~~ Non-transport fee ~~_____~~ 75.00
- s. ~~_____~~ OB kit with silver ~~_____~~ 19.85
~~_____~~ swaddler
- t. ~~_____~~ Oxygen ~~_____~~ 33.00
- u. ~~_____~~ Oxygen delivery devices
- u-1. ~~_____~~ Tubing 0.81
- u-2. ~~_____~~ Mask (Adult) ~~_____~~ 2.77
- u-3. ~~_____~~ Mask (Pediatric) ~~_____~~ 3.71
- u-4. ~~_____~~ Cannula (Adult) ~~_____~~ 2.70
- u-5. ~~_____~~ Cannula (Pediatric) ~~_____~~ 3.71
- v. ~~_____~~ Personal protective equipment
- v-1. ~~_____~~ Gown ~~_____~~ 3.98
- v-2. ~~_____~~ Goggles ~~_____~~ 8.03
- w. ~~_____~~ Prosplints
- w-1. ~~_____~~ Full arm, large ~~_____~~ 20.39
- w-2. ~~_____~~ Full arm, small ~~_____~~ 19.71
- w-3. ~~_____~~ Combe ~~_____~~ 27.27
- w-4. ~~_____~~ Full leg, large ~~_____~~ 42.79

~~w-5. Full leg, small 36.78~~
~~w-6. Wrist and forearm 12.28~~
~~x. Pocket mask 17.55~~
~~y. Resuscitation bag & mask 33.41~~
~~z. Splints~~
~~z-1. 12" 3.04~~
~~z-2. 18" 4.52~~
~~z-3. 24" 6.08~~
~~za. Sterile saline or water 3.02~~
~~zb. Suction~~
~~zb-1. Canister 5.06~~
~~zb-2. Suction tip 2.36~~
~~zb-3. Tubing 2.63~~

14. COMMISSIONER OF HEALTH. The Commissioner of Health shall provide such support and assistance to the Chief on medical matters as may be needed for the Chief to perform his duties under this Chapter.

1061-2006-2199:109778