

RULES AND REGULATIONS
FOR EMERGENCY MEDICAL SERVICES

CHAPTER 2

AMBULANCE SERVICE BUSINESS LICENSE

Section 1. License Required. No person shall maintain, conduct, operate, or advertise that they operate an ambulance service in this state without a license.

Ambulance services desiring to have their personnel participate in the State Volunteer EMT Pension Fund program must maintain a current business license.

Section 2. Exceptions. An ambulance service business license shall not be required for:

- (a) The United States or an agency or political subdivision of the State of Wyoming;
- (b) An industrial ambulance, except for annual reporting requirements;
- (c) An individual operating a search and rescue vehicle;
- (d) A person operating a volunteer ambulance service in an ambulance area in which no other ambulance services meeting the requirements of the Act are located;
- (e) A person using a vehicle rendering service as an ambulance in the case of a major catastrophe or emergency when licensed ambulances based in the locality of the catastrophe or emergency are incapable of rendering the services required;
- (f) A person using a privately owned vehicle or aircraft not designated as an ambulance and not ordinarily used in transporting patients, while operating under the provisions of W.S. 33-28-103 in the performance of a life-saving act; or
- (g) A person operating an ambulance service based outside of Wyoming, except that any ambulance service receiving a patient within this state shall be required to obtain an ambulance business license. The Division shall grant a license to an ambulance service based in another state whose licensing requirements insure that the purpose of W.S. 33-38-101, *et seq* and these rules are met.

Section 3. Application.

(a) Unless the service operated is a type listed in Section 2 above, no person shall commence operation of an ambulance service in this state prior to receiving an ambulance service business license.

(b) A person planning to establish an ambulance service shall apply for an ambulance service business license at least thirty (30) days prior to the date when she anticipates

commencing operations. The applicant shall complete an application form provided by the Division and shall submit the completed application form and a twenty dollar (\$20.00) application fee to the Division by certified mail, return receipt requested.

(c) The application form shall contain the following information:

(i) The applicant's name, physical address, and mailing address;

(ii) The type of business organization (for example, sole proprietorship, partnership or corporation) and a statement of whether the business organization is for profit or nonprofit;

(iii) If the business organization is a partnership, the names, business addresses and mailing addresses of each partner, including silent partners and limited partners;

(iv) If the business organization is a corporation or a limited liability company, the names, business addresses and mailing addresses of all corporate officers and the name, business address and mailing address of each shareholder who owns ten percent (10%) or more of the corporation's stock. If a parent corporation owns ten percent (10%) or more of the corporation's stock, the application shall list the names, business addresses and mailing addresses of all corporate officers of the parent corporation and of each shareholder in the parent corporation who owns ten percent (10%) or more of the parent corporation's stock;

(v) The trade name or business name of the applicant;

(vi) For each attendant whom the applicant anticipates using, the name, training history, and current certification status of the individual;

(vii) The name of the individual responsible for ensuring that each attendant working for the ambulance service meets all continuing medical education. If this individual is designated as an ambulance administrator, that title should be included on the application form;

(viii) A completed application for a permit for each ambulance to be used in the ambulance service business. Each such application shall comply with Chapter 3 of these rules;

(ix) The location from which the ambulance service shall operate, and the boundaries of its normal area of operation;

(x) A copy of a certificate of insurance, issued by an insurance carrier licensed to do business in Wyoming, which certificate shows that each ambulance owned or operated by the ambulance service company is covered by insurance providing for the payment of benefits and damages in at least the following amounts:

(A) Liability coverage in the amount of one million dollars (\$1,000,000.00) for each individual claim and two million dollars (\$2,000,000.00) for personal injury or death claims arising out of any one (1) motor vehicle accident, or the limits allowed to participants of the state's Local Government Liability Pool;

(B) Liability coverage in the amount of one hundred thousand dollars (\$100,000.00) for property damage claims arising out of any one (1) transaction or occurrence, or the limits allowed to participants of the state's Local Government Liability Pool; and

(C) Liability coverage in the amount of two million dollars (\$2,000,000.00) for personal injury, death or other claims arising out of any one (1) transaction or occurrence, or the limits allowed to participants of the state's Local Government Liability Pool.

(xi) A statement of affirmation that the ambulance service shall be operated in full compliance with all applicable federal and state requirements, including such rules as the Division may from time to time promulgate or amend;

(xi) The name of the physician medical director and, if an individual is so designated, of the ambulance administrator, with signatures indicating that those individuals have agreed to serve in their respective capacities; and

(xii) Such other information as the Division may require in order to accomplish full implementation of applicable federal and state requirements and of the Division's rules.

(d) Inspection of records. The Division, at its sole discretion, may at any time inspect the records of any person holding an ambulance service business license to verify information contained in the ambulance business license application.

Section 4. Decision and Appeal.

(a) Within thirty (30) days after receipt of an application for an ambulance service business license, the Division shall issue the license or deny the application for a license. The Division's decision shall be based upon whether the application for an ambulance service business license is in compliance with all applicable federal and state requirements and with the Division's rules.

(b) If the Division issues an ambulance service business license to the applicant, it shall mail the license to the applicant.

(c) If the Division denies the applicant's application for an ambulance service business license, it shall send a written notice of denial to the applicant. The notice of denial shall explain the reasons for the denial.

(d) An applicant for an ambulance service business license whose application is denied, may appeal the denial by sending its request for an administrative hearing on the denial to the Division, by certified mail, return receipt requested, so that it is received by the Division within thirty (30) days of the date when the Division mailed the notice of denial to the applicant. All aspects of the administrative hearing on the denial shall be governed by the provisions of Chapter 9 of these rules.

Section 5. Expiration. A license shall expire on December 31st of each year.

Section 6. Renewal of License. The Division may renew a license if the license holder has complied with the requirements of these regulations. Applicants for a license renewal must complete a license renewal form and pay a twenty dollar (\$20.00) license fee. The license holder must convey the license renewal form and fee to the Division at the following address:

Wyoming Department of Health
Office of Emergency Medical Services
Hathaway Building
Cheyenne, Wyoming 82002

The Division must receive the license renewal form and the license renewal fee before December 1st of each year for renewal to be processed by the expiration date.

Section 7. Non-transferability of License. A license is not transferable. Any change in ownership, including sale, transfer or assignment, shall terminate the license.

Section 8. Change in Ownership or Termination. The license holder shall notify the Division at least thirty (30) days before terminating the business or transferring the ownership of the business to another entity or location.

Section 9. Change in Information. A license holder shall notify the Division by certified mail within ten (10) days after any information contained in the application changes or becomes inaccurate.

Section 10. Insurance coverage. A license holder shall immediately notify the Division and cease operations if the coverage required by Section 3 (c)(x) is no longer in force and effect.

Section 11. Operation Requirements.

(a) An ambulance service business license holder shall:

(i) Obtain an ambulance permit, as required by Chapter 3 of these rules, for each ambulance used in the ambulance service business;

(ii) Insure that all attendants are certified as required by these rules. An ambulance service business license holder shall not, at any time, allow a person not appropriately certified as an attendant (including individuals who at one time were appropriately certified but whose certification is no longer current) to function as an attendant on any ambulance operated by the ambulance service business license holder;

(iii) Display a copy of the ambulance service business license in a prominent location on the premises of the ambulance service business at all times; and

(iv) Be operational and en route within ten (10) minutes or as soon thereafter within a reasonable and prudent amount of time of each request for service, unless other arrangements regarding dispatch time have been made and agreed to by the individual requesting service.

(b) An ambulance service business license holder, other than a non-emergency ambulance service or an air ambulance, shall provide ambulance service twenty-four (24) hours per day, seven (7) days per week.

Section 12. Disciplinary Action.

(a) The Division may, at its sole discretion, deny, refuse to renew, restrict, suspend, or revoke an ambulance service business license at any time when the Division has received a credible allegation that an applicant for or a holder of an ambulance service business license has:

(i) Renewed, obtained, or attempted to renew or obtain a license by fraud, bribery, or misrepresentation;

(ii) Advertised the ambulance service in a false or misleading manner;

(iii) Obtained a fee by fraud or submitted a fraudulent billing, including billing for a service not rendered or billing for a service not medically necessary;

(iv) Failed to establish and abide by a set of procedures and precautions, as published by the Centers for Disease Control, to assist health care personnel in protecting themselves from infectious disease;

(v) Violated any federal or state law or regulations, or violated any of these rules; or

(vi) Received a termination notice from the physician medical director of the ambulance service. [See the requirements for summary suspension in Chapter 9 of these rules.]

(b) Before notice of suspension is sent pursuant to Chapter 9, Section 3, the Division may at its sole discretion, send a written warning to the license holder.

(c) A holder of an ambulance service business license may appeal any adverse action which the Division takes under this section by:

(i) Filing a request for an administrative hearing within thirty (30) days of the time the Division has mailed the notice of action to the license holder. Such request shall be sent by certified mail, return receipt requested, to the Division; and

(ii) Complying with all requirements of Chapter 9 of these rules.

