



POLICY STATEMENT

Supercedes/Updates:

No. 03 - 09

Date: 09/05/03

**Re: Surrender of EMS
Operating Certificate**

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Surrender of Ambulance or Advanced Life Support First Response Operating Certificate

There are a number of situations that cause an Emergency Medical Service agency to consider surrendering its Operation Certificate. This may include, but not be limited to a severe shortage of available certified EMS personnel, the rising costs of operating an EMS response agency or organizational crisis. As a result of these issues and many other circumstances, EMS agencies, after serious consideration, have found themselves forced to stop providing EMS and close their doors.

While we realize the difficulties surrounding these situations, an EMS service should ***NOT stop operating*** suddenly and without assistance and consultation from local and regional EMS resources. However, should an EMS agency be faced with the final situation that necessitates stopping EMS response and closing its doors, this policy outlines the necessary steps that an EMS agency must take.

- The EMS agency should have made the determination to cease operation in concert with its governing board, if appropriate, its membership and the medical director.
- The EMS agency must consult and work with local EMS services, the county EMS coordinator, the Regional EMS Council (REMSCO), the Regional Emergency Medical Advisory Committee (REMAC) and the regional DOH EMS Representative to insure future EMS coverage in the operating territory¹.
- The EMS agency should make written notification to the following:
 - surrounding EMS agencies.
 - affected municipal government authorities.
 - local hospital emergency departments.
 - the dispatch agency.
 - the county EMS coordinator.
 - the REMSCO and REMAC.
 - contractors and/or affected health facilities (eg. nursing homes, clinics).
 - the public through the local news media.

¹ EMS agencies assuming additional territory will have to apply to the REMSCO for an expansion of operating authority as required by Article 30 of NYS Public Health Law

- The notifications should include the following information:
 - the date when the agency will cease operating/responding to EMS calls.
 - the arrangements made for taking over EMS response.

- The EMS agency is responsible for insuring that the Patient Care Reports (PCR) are retained in a secure and confidential fashion. The PCRs must be made available to patients, if requested, in accordance with New York State Public Health Law, DOH policy statements and written service policies. The EMS agency must advise the Department in writing of the location where the patient records (PCRs) will be stored, secured and how they will be made accessible to those who have the right to obtain them.

- The EMS agency must advise the Department of Health, Bureau of EMS in writing, at least 30 days prior to the end of operation, that the EMS agency will no longer be providing EMS response. Additionally, the agency must surrender the original version of the current Operating Certificate no later than ten days after ceasing EMS operations.

In accordance with Article 30, § 3012 (f), if an EMS agency has discontinued service for a period in excess of a month (30 days), the Department of Health may revoke the Operating Certificate.

Following this policy will help to assure that the community served by an EMS agency about to discontinue operations will have EMS coverage. The Department encourages any EMS agency facing closure, to make contact with the EMS Representative from the DOH regional office.

Issued and Authorized by
Edward G. Wronski, Director - Bureau of EMS