DEPARTMENT OF HEALTH SERVICES
COUNTY OF LOS ANGELES

AMBULANCE PROGRAMS SECTION

SUBJECT: **AMBULANCE LICENSING NOTICES OF VIOLATION AND ADMINISTRATIVE FINES**

REFERENCE NO. 451

PURPOSE: To outline a process for imposition of administrative fines for violations related to private ambulance operations.

AUTHORITY: Los Angeles County Code, Title 7, Business Licenses, Ambulance Ordinance 7.16.020
Health &Safety Code 1797.170, 1797.172, 1797.204, 1797.224
California Code of Regulations, Title 22, Sections 100062, 100063, 100145, 100169

DEFINITIONS:

Ambulance: A motor vehicle that is specially constructed, modified, equipped, or arranged for transporting sick, injured, convalescent, infirm or otherwise incapacitated persons. An ambulance may be a ground ambulance or an EMS aircraft.

Ambulance Attendant: Any person, other than the ambulance driver, who is employed to accompany an ambulance driver during transport of persons needing medical attention or services.

Ambulance Driver: Any person who drives an ambulance in which a person needing medical attention or services is transported.

Ambulance Operator: Any person or entity who, for any monetary or other consideration, or as an incident to any other occupation, transports in one or more ambulances one or more persons needing medical attention or services.

Enforcement Officer: Any county employee or agent designated by the director to enforce any provision of this chapter (refer to Ref. No. 453.1, Ambulance Enforcement Officers).

Notice of Violation: Issued to an operator, attendant or driver by an enforcement officer who has determined that a violation of any provision of the Ambulance Ordinance has occurred. The violation may subject the operator or EMS personnel to an administrative fine.

Notice of Administrative Fine: Imposition of a fine issued by the Director of the EMS Agency pursuant to a violation of the Ambulance Ordinance. Administrative fines may be issued for Administrative, Operational, or Personnel violations (refer to Ref. No. 451.1, Ambulance Administrative Fines).

PRINCIPLES:

1. Adherence to the rules and regulations outlined in the Los Angeles County Code (County Code) helps ensure preservation of the health and safety of the patients transported by ambulance operators.

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2. Licensing all companies that operate ambulances in Los Angeles County, ensures that each operator has met rigorous financial and insurance standards, can meet response times, has technically qualified management and properly certified and licensed employees, and that their vehicles are licensed, stocked, and inspected in accordance with the applicable Los Angeles County ambulance vehicle policies.

3. Prior to the issuance of an administrative fine, any complaint received by the EMS Agency will be reviewed and, if appropriate, investigated to determine if a violation has occurred.

POLICY:

I. Procedure - Operators

A. Notice of Violation

1. A Notice of Violation may be issued to the operator (Refer to Reference No. 451.2, Notice of Violation – Administrative and Reference No. 451.3, Notice of Violation – Operational), whenever an enforcement officer determines that a violation has occurred, or on completion of an investigation by the EMS Agency.

2. Each Notice of Violation shall contain the following:

   a. The name of the operator;
   b. The section violated;
   c. The address of the location where the violation occurred;
   d. A description of the code violation;
   e. The name of the enforcement officer issuing the violation;
   f. Specify a correction period, if warranted

3. The EMS Agency issues a Notice of Violation by:

   a. Personal delivery to the operator, operator's employee or agent. Service is effective at the time of personal delivery; or

   b. First class (certified) mail to the operator at the operator's place of business as listed on the Los Angeles County business license, or as listed on the California Highway Patrol (CHP) roster of CHP licensed ambulance companies, if not licensed by the County of Los Angeles. Service is effective five (5) calendar days after the date of mailing.

4. Operators may be cited for employees' actions (refer to Reference No. 451.1).

   a. The violation penalty may be waived for the operator if a written internal, company-specific policy that specifically prohibits the cited action is provided to the EMS Agency by 5:00 p.m. of the next County business day following citation of the ambulance personnel. Such policy must have been in place at the time the violation occurred and there must be documented evidence that the employee(s) was/were aware of such policy.

B. Notice of Administrative Fine

1. Within thirty (30) calendar days of service of a Notice of Violation (Administrative or Operational), a Notice of Administrative Fine may be issued to the operator (refer to Reference No. 451.1 for specific fine amounts).

   a. The fine may be issued in addition to other available remedies such as license revocation, suspension, probation, or referral for criminal prosecution.

2. Each Notice of Administrative Fine shall contain the following:

   a. A statement that an administrative fine is being imposed on the operator pursuant to Chapter 7.16 of the County Code;
   b. The name of the operator;
   c. The section violated;
   d. The address of the location where the violation occurred;
   e. A description of the code violation;
   f. The name of the enforcement officer issuing the violation;
   g. The amount of the administrative fine and the procedure for paying the fine;
   h. The procedure for requesting an administrative hearing to contest the imposition of the administrative fine.

3. The EMS Agency issues a Notice of Administrative Fine by:

   a. Personal delivery to the operator or operators' employee or agent. Service shall be deemed effective at the time of the personal delivery; or

   b. First class (certified) mail to the operator at the operator's place of business as listed on the Los Angeles County business license, or as listed on the California Highway Patrol (CHP) roster of CHP licensed ambulance companies, if not licensed by the County of Los Angeles. Service is effective five (5) calendar days after the date of mailing.

C. The Notice of Administrative Fine shall constitute the final order of the county with respect to the fine, unless the operator requests an administrative hearing to contest the fine as outlined in Reference No. 452, Ambulance Licensing Hearing Process.

1. Fines are due and payable to the EMS Agency within thirty (30) calendar days following service of the Notice of Administrative Fine.

   a. In person: Fines are payable by cash, check, or money order.

   b. By mail: Check or money order only, payable to:

      County of Los Angeles – EMS Agency
      10100 Pioneer Blvd., Suite 200
      Santa Fe Springs, CA 90670
      Attn: Finance Section

D. Payment of the administrative fine does not exempt the operator from correcting the violation.

E. Failure to pay the fine may result in an action against an ambulance operator's business license and/or assessment penalties.

F. Subsequent violations

1. A violation penalty amount is assessed at the second penalty rate if less than one year has elapsed since a Notice of Violation has been issued and upheld for the same type of violation.

2. A violation penalty amount is assessed at the "third or more" penalty rate if less than one year has elapsed since the first Notice of Violation has been issued and both the first and second Notice of Violation was upheld for the same type of violation.

3. When applicable, such violations will also be referred to the appropriate regulatory agency for follow up.

4. Refer to Reference No. 451.1 for specific fine amounts.

II. Procedure - Ambulance Personnel

A. Notice of Violation

1. A Notice of Violation may be issued to ambulance personnel (Refer to Reference No. 451.4, Notice of Violation – Ambulance Personnel) whenever an enforcement officer determines that a violation has occurred, or on completion of an investigation by the EMS Agency.

2. Each Notice of Violation shall contain the following:

a. The name of the ambulance personnel;

b. The name of the employer/operator;

c. The section violated;

d. The address of the location where the violation occurred;

e. A description of the code violation;

f. The name of the enforcement officer issuing the violation.

3. The EMS Agency issues a Notice of Violation by:

a. Personal delivery to the ambulance personnel. Service is effective at the time of personal delivery; or

b. First class (certified) mail to the operator at the operator's place of business as listed on the Los Angeles County business license, or as listed on the California Highway Patrol (CHP) roster of CHP licensed ambulance companies, if not licensed by the County of Los Angeles. Service is effective five (5) calendar days after the date of mailing.

c. A copy of the Notice of Violation is also sent to the ambulance personnel's employer.

B. Notice of Administrative Fine

1. A Notice of Administrative Fine may be issued following the Notice of Violation; or

2. In the event that ambulance personnel fail to provide current license(s) and/or certification(s) to an enforcement officer upon request, a Notice of Administrative Fine will be issued to the ambulance personnel by the enforcement officer.

   a. The ambulance personnel shall also be removed from service until he or she has all current license(s) and/or certification(s);

   b. The ambulance personnel's employer shall immediately be notified by telephone;

   c. Ambulance operators failing to promulgate or to enforce rules that ensure that ambulance personnel carry and can produce current certification(s) and/or license(s), shall also be subject to an administrative fine.

3. The fine may be issued in addition to other available remedies such as certification action, referral to the respective certifying or licensing agency and/or referral for criminal prosecution.

4. Refer to Reference No. 451.1 for specific fine amounts

5. Each Notice of Administrative Fine shall contain the following:

   a. A statement that an administrative fine is being imposed on the ambulance personnel pursuant to Chapter 7.16 of the County Code;
   b. The name of the ambulance personnel's employer/operator;
   c. The section violated;
   d. The address of the location where the violation occurred;
   e. A description of the code violation;
   f. The name of the enforcement officer issuing the violation;
   g. The amount of the administrative fine and the procedure for paying the fine.

6. The EMS Agency issues a Notice of Administrative Fine by:

   a. Personal delivery to the ambulance personnel. Service is effective at the time of personal delivery; or

b. First class (certified) mail to the ambulance personnel's employer's place of business as listed on the Los Angeles County business license, or as listed on the California Highway Patrol (CHP) roster of CHP licensed ambulance companies, if not licensed by the County of Los Angeles. Service is effective five (5) calendar days after the date of mailing.

C. The Notice of Administrative Fine shall constitute the final order of the county with respect to the fine, unless the ambulance personnel requests an administrative hearing to contest the fine as outlined in Reference No. 1406, Ambulance Licensing Hearing Process.

1. Fines are due and payable to the EMS Agency within thirty (30) calendar days following service of the notice.

a. In person: Fines are payable by cash, check, or money order.

b. By mail: Check or money order only, payable to:

County of Los Angeles – EMS Agency
10100 Pioneer Blvd., Suite 200
Santa Fe Springs, CA 90670
Attn: Finance Section

D. Payment of the administrative fine does not exempt ambulance personnel from correcting the violation.

F. Failure of ambulance personnel to pay a fine may result in referral to the appropriate licensing or certifying entity.

G. Subsequent violations.

1. A violation penalty amount is assessed at the second penalty rate if less than one year has elapsed since a Notice of Violation has been issued and upheld for the same type of violation.

2. A violation penalty amount is assessed at the "third or more" penalty rate if less than one year has elapsed since the first Notice of Violation has been issued and both the first and second Notice of Violation was upheld for the same type of violation.

3. When applicable, such violations will also be referred to the appropriate regulatory agency for follow up.

4. Refer to Reference No. 451.1 for specific fine amounts.

CROSS REFERENCES:

Prehospital Care Manual:

Ref. No. 414, **Registered Nurse/Respiratory Specialty Care Transport Provider**
Ref. No. 450, **Los Angeles County Code, Title 7, Business Licenses, Division 2, Chapter 7.16 Ambulances**
Ref. No. 451.1, **Ambulance Licensing Administrative Fines**
Ref. No. 451.2, **Notice of Violation – Administrative**
Ref. No. 451.3, **Notice of Violation – Operational**
Ref. No. 451.4, **Notice of Violation – Ambulance Personnel**
Ref. No. 452, **Ambulance Licensing Administrative Fine Hearing Process**
Ref. No. 453, **Ambulance Licensing Investigations**
Ref. No. 453.1, **Ambulance Licensing Enforcement Officers**
Ref. No. 706, **ALS EMS Aircraft Inventory**
Ref. No. 710, **Basic Life Support Ambulance Equipment**
Ref. No. 712, **Nurse Staffed Critical Care Unit Inventory**
Ref. No. 713, **Respiratory Care Practitioner Staffed Critical Care Transport Unit Inventory**
Ref. No. 802, **EMT Scope of Practice**
Ref. No. 803, **Los Angeles County Paramedic Scope of Practice**