

**INDIAN RIVER COUNTY, FLORIDA**  
**M E M O R A N D U M**

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**TO:** Honorable Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator  
David Johnson, Director of Emergency Services

**FROM:** Stephen R. Greer, Assistant Fire Chief of EMS  
Department of Emergency Services

**DATE:** June 18, 2024

**SUBJECT:** Request from Positive Mobility, Inc., dba Elite Medical Response for a Class “B” Certificate of Public Convenience and Necessity to Provide Non-Emergency Ambulance Inter-Facility Transports Originating from Indian River County, and a Class “C” Non-Emergency Inter-Facility Transports Requiring a Physician’s Order.

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It is respectfully requested that the information contained herein be given formal consideration by the Indian River County Board of County Commissioners (the “Board”) at the next scheduled meeting.

**BACKGROUND:**

Chapter 304 of the Indian River County Code of Ordinance (the “Code”) governs certificates of public convenience and necessity in Indian River County for various uses, including wheelchair vehicle services. Per section 304.07 of the Code, after an application has been received by Indian River County, the EMS director makes an investigation and a determination of the public need for the proposed service in the geographical area requested. As part of this investigation, the EMS director contacts the medical director, all other service providers in the county, and any municipality in which the applicant desires to provide service. The EMS director also is required to schedule a public hearing before the Board with notice to all other service providers in the requested service area, any municipality in the requested service area and to the general public by publication in the local newspaper with at least one week's notice.

At the public hearing, the Board shall consider the EMS director's recommendation and any input from other service providers, municipalities, or interested groups or citizens and may grant or deny the requested certificate of public convenience and necessity.

In making his recommendation, the EMS director shall consider the following factors:

- (a) The population density and composition of the likely areas within which the proposed ALS, BLS, or nonemergency medical transport service will operate.
- (b) The need of the people in the area for ALS, BLS, or non-emergency medical transport service.
- (c) A comparison of estimated annual requests for service in the particular certificate category with the current number of vehicles satisfying requests.
- (d) Such other factors as may be considered important by the EMS director.

**ANALYSIS:**

On April 17, 2024, Positive Mobility, Inc. dba Elite Medical Response submitted an application for Class “B” Certificate of Public Convenience and Necessity to provide non-emergency ambulance inter-facility transports originating within Indian River County and a Class “C” non-emergency inter-facility transports which require special clinical capabilities and require a physician’s order. Pursuant to the Code, staff initiated an investigation to be made regarding the application.

There are seven (7) other providers who hold a Class “B” certificate in the County as follows:

- All County Ambulance
- American Ambulance
- Cleveland Clinic Advanced Medical Transport
- Coastal Health Systems of Brevard Inc.
- National Health Transport, Inc.
- East Coast Ambulance
- HCA Florida Lawnwood Hospital

There is only one (1) other provider holding a Class “C” certificate in the County as follows:

- East Coast Ambulance

There are no other providers who hold a Class “D” Certificate in the County.

An email was sent to all current providers, municipalities, and interested groups inviting them to respond for the purpose of receiving information about the proposed service and discuss the need for additional service in the County. The providers who responded voiced their concerns over the impacts generated by Elite Medical Response and will discuss further at the Public Hearing.

**FUNDING:**

There are no funding requirements for this item.

**RECOMMENDATION:**

Staff recommends that the Board hear all parties to determine the issuance of a Class “B”, Class “C”, COPCN to Positive Mobility, Inc. dba Elite Medical Response for a period of two (2) years from July 2, 2024 to July 2, 2026. Positive Mobility, Inc. dba Elite Medical Response has determined that they would like to rescind their request for a Class “D” COPCN due to its limitations.

**ATTACHMENTS:**

1. Application for Certificate of Public Convenience and Necessity for Positive Mobility, Inc. dba Elite Medical Response.
2. Email from Positive Mobility, Inc. dba Elite Medical Response rescinding their request for Class “D” COPCN.
3. Objection letters from National Health Transport and East Coast Ambulance
4. Certificate

\*Due to the size of the entire application, it is available for review during regular business hours (8:30am to 5:00pm, Monday through Friday) at the Offices of Emergency Services.