

Finger Lakes Regional Emergency Medical Service Council, Inc.



Policy Statement

Certiticate(s) of Need

Revised 09/28/2020

Purpose:

The policy is intended to identify the procedures and payments for Certificates of Need, Expansion of Territory, Transfer of Territory and Conversion as well as outlining the billing / Payment schedule. The policy is in compliance with and supports the NYSDOH EMS policy 06-06.

Scope:

All Individuals and Organizations requesting a Certificate of Need review in compliance with NYSDOH EMS 06-06, in the Finger Lakes Region (Ontario, Wayne, Seneca and Yates Counties)

Policy:

The FLREMSC imposes reasonable charges upon application for the due diligence activities required for Certificate of Need / Operating authority, including but not limited to new applications, territorial expansion, ALS first response, transfer of operating authority and all associated expenses. FLREMSC will remit any unused funds to the applicant that exceeds the actual expenses incurred. FLREMSC also reserves the right to impose monthly, any additional expenses beyond the required deposits herein enumerated in the actual amounts incurred monthly by FLREMSC. All CON applications are reviewed by Legal Counsel, and the CON Committee of the FLREMSC for compliance and completeness. These recommendations are considered by the Full Council for the necessary determination action.

Reasonable charges include but not limited to: stenographer, record reproduction, postage, rental fees for hall, hearing officer fees, appeal fees, hearing broadcast fees and attorney's fees. In the event the FLREMSC recommendation to grant or deny operating authority is challenged before an administrative law judge, FLREMSC has the option of submitting a response and if so, the applicant is held responsible for all expenses including attorneys' fees and any appeal cost incurred for the defense of the FLREMSC recommendation. In the event the FLREMSC recommendation is not accepted and the applicant chooses to appeal the determination, any cost incurred by FLREMSC to participate in the appeal as an appellant or witness must be paid by the applicant.

All applicants must remit payment of the required deposits with their application as stated. All expense will be itemized to the applicant each month. Additional charges must be paid on a monthly basis within 30 days or additional interest will be charged at a rate of twenty-four percent (24%) per annum. A statement of expenses will be provided to the applicant each month on or about the first business day and interest charges will be applied 30 days thereafter. This policy as required by PHL Article 30, is reviewed at the regular annual meeting or as necessary.

CON Schedule of Initial Deposits:

| | |
|-----------------------------------|------------|
| New Territory | \$8,500.00 |
| Expansion of Territory | \$8,500.00 |
| Transfer of Territory | \$6,000.00 |
| Municipal Conversion to Permanent | \$8,500.00 |

Responsibility:

CON Applicants
FLREMSC - All Staff Members
FLREMSC - Legal Staff
FLREMSC - Executive Committee
FLREMSC

Approved:

9/28/2020