

**FORSYTH COUNTY**  
**BOARD OF COMMISSIONERS**

MEETING DATE: February 4, 2021

AGENDA ITEM NUMBER: 1A - 1G

**SUBJECT:**

- A. PUBLIC HEARING ON SIX PROPOSED ORDINANCES GRANTING EXTENSIONS OF AMBULANCE FRANCHISES WITHIN FORSYTH COUNTY (NUCARE CAROLINA AMBULANCE, INC. – GROUND AMBULANCE)(LIFESTAR EMERGENCY SERVICES, LLC – GROUND AMBULANCE) FORSYTH MEMORIAL HOSPITAL, INC. D/B/A FORSYTH MEDICAL CENTER – LIMITED AIR AND GROUND AMBULANCES)(NORTH CAROLINA BAPTIST HOSPITAL – LIMITED AIR AND GROUND AMBULANCES)**
  
- B. ORDINANCE GRANTING AN EXTENSION OF A NONEMERGENCY GROUND AMBULANCE FRANCHISE TO NUCARE CAROLINA AMBLUANCE, INC. (EMERGENCY SERVICES DEPARTMENT)**
  
- C. ORDINANCE GRANTING AN EXTENSION OF A NONEMERGENCY GROUND AMBULANCE FRANCHISE TO LIFESTAR EMERGENCY SERVICES, LLC (EMERGENCY SERVICES DEPARTMENT)**
  
- D. ORDINANCE GRANTING AN EXTENSION OF GROUND AMBULANCE FRANCHISE TO FORSYTH MEMORIAL HOSPITAL, INC. D/B/A FORSYTH MEDICAL CENTER (EMERGENCY SERVICES DEPARTMENT)**
  
- E. ORDINANCE GRANTING AN EXTENSION OF GROUND AMBULANCE FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL (EMERGENCY SERVICES DEPARTMENT)**
  
- F. ORDINANCE GRANTING AN EXTENSION OF LIMITED AIR AMBULANCE FRANCHISE TO MEMORIAL HOSPITAL, INC. D/B/A FORSYTH MEDICAL CENTER (EMERGENCY SERVICES DEPARTMENT)**
  
- G. ORDINANCE GRANTING AN EXTENSION OF LIMITED AIR AMBULANCE FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL (EMERGENCY SERVICES DEPARTMENT)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:**

**SUMMARY OF INFORMATION:**

ATTACHMENTS:  yes  no

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
COUNTY MANAGER

**ORDINANCE GRANTING AN EXTENSION OF A  
NONEMERGENCY GROUND AMBULANCE FRANCHISE TO  
NUCARE CAROLINA AMBULANCE, INC.  
(EMERGENCY SERVICES DEPARTMENT)**

**WHEREAS** the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

**WHEREAS** the Emergency Services Director has determined that Nucare Carolina Ambulance, Inc., meets both State standards and the standards outlined in Chapter 5 of the Forsyth County Code for providing ambulance services within Forsyth County;

**NOW, THEREFORE, BE IT ORDAINED**, by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code, and other applicable laws, and upon application of Nucare Carolina Ambulance, Inc., (“franchise operator/Private Provider”), a North Carolina Business Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a non-emergency ground ambulance service within Forsyth County, strictly subject to the following conditions:

- (1) The franchise operator/Private Provider may provide non-emergency ground ambulance services within the boundaries of Forsyth County, or provider services that begin within Forsyth County and terminate outside the County, or begin outside the County and terminate within the boundaries of the County.
- (2) The franchise operator/Private Provider may only provide emergency services when specifically authorized by the Forsyth County Emergency Services Director.
- (3) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director, pursuant to the provisions of Chapter 5 of the Forsyth County Code.
- (4) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources, including personnel, equipment, and vehicles within Forsyth County to timely respond.
- (5) The franchise operator/Private Provider shall at all times be licensed to operate the ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise

operator/Private Provider shall at all times comply with all applicable federal, state, and local laws. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference to the extent they apply.

- (6) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers' compensation, liability and property damage insurance coverage relating to the operations and personnel of the ambulance service as is reasonably required by Forsyth County through the County Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.
- (7) The franchise operator/Private Provider shall maintain and charge at all times the fees for ambulance services as approved by the Forsyth County Board of Commissioners for such services within the County, pursuant to the provisions of Chapter 5 of the Forsyth County Code.
- (8) An operational agreement detailing the specific standard operating procedures of the franchise operator/Private Provider has been created and approved in writing by the franchise operator/Private Provider and the Forsyth County Emergency Services Director and is attached hereto and incorporated herein by reference. The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.
- (9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or in the operational agreement as approved by the franchise operator/Private Provider and the Forsyth County Emergency Services Director, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.
- (10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, equipment and records of the franchise holder/Private Provider used for the ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, equipment, agreements, and insurance coverage.
- (11) With the approval of the Forsyth County Board of Commissioners, the franchise operator/Private Provider may transfer a majority of the stock of the corporation, or controlling interest in the corporation, to a person or corporation which is qualified

hereunder to provide ambulance services, whereby the successor organization acquires this franchise and the right to operate within Forsyth County, North Carolina. The provisions of this paragraph also apply to the franchise operator/Private Provider becoming a subsidiary organization to a corporation which provides ambulance services, either itself or through the acquired corporation. This franchise may not be transferred in any manner without the prior written approval of the Forsyth County Board of Commissioners, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

- (12) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.
- (13) The franchise shall be effective and is granted for a period of five (5) years, beginning March 4, 2021, and expiring March 4, 2026.

**BE IT FURTHER ORDAINED**, that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 18<sup>th</sup> day of February 2021.

Adopted on second reading on this 4<sup>th</sup> day of March 2021.

**ORDINANCE GRANTING AN EXTENSION OF A  
NONEMERGENCY GROUND AMBULANCE FRANCHISE TO  
LIFESTAR EMERGENCY SERVICES, LLC  
(EMERGENCY SERVICES DEPARTMENT)**

**WHEREAS** the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

**WHEREAS** the Emergency Services Director has determined that LifeStar Emergency Services, LLC, meets both State standards and the standards outlined in Chapter 5 of the Forsyth County Code for providing ambulance services within Forsyth County;

**NOW, THEREFORE, BE IT ORDAINED**, by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code, and other applicable laws, and upon application of LifeStar Emergency Services, LLC, (“franchise operator/Private Provider”), a North Carolina Business Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a non-emergency ground ambulance service within Forsyth County, strictly subject to the following conditions:

- (1) The franchise operator/Private Provider may provide non-emergency ground ambulance services within the boundaries of Forsyth County, or provider services that begin within Forsyth County and terminate outside the County, or begin outside the County and terminate within the boundaries of the County.
- (2) The franchise operator/Private Provider may only provide emergency services when specifically authorized by the Forsyth County Emergency Services Director.
- (3) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director, pursuant to the provisions of Chapter 5 of the Forsyth County Code.
- (4) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources, including personnel, equipment, and vehicles within Forsyth County to timely respond.
- (5) The franchise operator/Private Provider shall at all times be licensed to operate the ambulance service under the laws of the State of North Carolina, including those

relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference to the extent they apply.

- (6) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers' compensation, liability and property damage insurance coverage relating to the operations and personnel of the ambulance service as is reasonably required by Forsyth County through the County Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.
- (7) The franchise operator/Private Provider shall maintain and charge at all times the fees for ambulance services as approved by the Forsyth County Board of Commissioners for such services within the County, pursuant to the provisions of Chapter 5 of the Forsyth County Code.
- (8) An operational agreement detailing the specific standard operating procedures of the franchise operator/Private Provider has been created and approved in writing by the franchise operator/Private Provider and the Forsyth County Emergency Services Director and is attached hereto and incorporated herein by reference. The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.
- (9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or in the operational agreement as approved by the franchise operator/Private Provider and the Forsyth County Emergency Services Director, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.
- (10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, equipment and records of the franchise holder/Private Provider used for the ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, equipment, agreements, and insurance coverage.
- (11) With the approval of the Forsyth County Board of Commissioners, the franchise operator/Private Provider may transfer a majority of the stock of the corporation, or

controlling interest in the corporation, to a person or corporation which is qualified hereunder to provide ambulance services, whereby the successor organization acquires this franchise and the right to operate within Forsyth County, North Carolina. The provisions of this paragraph also apply to the franchise operator/Private Provider becoming a subsidiary organization to a corporation which provides ambulance services, either itself or through the acquired corporation. This franchise may not be transferred in any manner without the prior written approval of the Forsyth County Board of Commissioners, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

- (12) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.
- (13) The franchise shall be effective and is granted for a period of five (5) years, beginning March 4, 2021, and expiring March 4, 2026.

**BE IT FURTHER ORDAINED**, that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 18<sup>th</sup> day of February 2021.

Adopted on second reading on this 4<sup>th</sup> day of March 2021.

**ORDINANCE GRANTING AN EXTENSION OF A GROUND AMBULANCE  
FRANCHISE TO FORSYTH MEMORIAL HOSPITAL, INC.  
(EMERGENCY SERVICES DEPARTMENT)**

**WHEREAS** the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

**WHEREAS** the Emergency Services Director has determined that Forsyth Memorial Hospital, Inc., meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code;

**NOW, THEREFORE, BE IT ORDAINED**, by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of Forsyth Memorial Hospital, Inc., ("franchise operator/Private Provider"), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a non-emergency ground ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may provide inter-hospital transport and continuous critical care nursing to critically ill adult patients that require inter-hospital transport and admission from community-based hospitals to Forsyth Memorial Hospital. The critical care units may also be utilized to transport and administer advanced life support to patients being transported from the Forsyth Memorial Hospital to other medical facilities.

(2) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(3) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(4) The franchise operator/Private Provider shall at all times be licensed to operate the ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference to the extent they apply.

(5) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers' compensation, liability and property damage



insurance coverage relating to the operations and personnel of the ambulance service as is reasonably required by Forsyth County through the County Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(6) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and nonemergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(7) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(8) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, equipment and records of the franchise holder/Private Provider used for the ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, equipment, agreements, and insurance coverage.

(9) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(10) This franchise shall be effective and is granted for a period of five (5) years, beginning March 4, 2021, and expiring March 4, 2026.

**BE IT FURTHER ORDAINED** that the franchise shall become effective upon final adoption after two readings.

Adopted on the first reading on this the 18<sup>th</sup> day of February 2021.

Adopted on the second reading on this the 4<sup>th</sup> day of March 2021.

**ORDINANCE GRANTING AN EXTENSION OF A GROUND AMBULANCE  
FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL  
(EMERGENCY SERVICES DEPARTMENT)**

**WHEREAS** the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

**WHEREAS** the Emergency Services Director has determined that North Carolina Baptist Hospital meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code;

**NOW, THEREFORE, BE IT ORDAINED**, by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of North Carolina Baptist Hospital ("franchise operator/Private Provider"), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a ground ambulance service within Forsyth County, strictly subject to the following conditions:

- (1) The franchise operator/Private Provider may:
  - (a) Receive adults, neonates or pediatric patients up to four years of age being treated or hospitalized at North Carolina Baptist Hospital or Forsyth Memorial Hospital for ground ambulance transportation to a point outside Forsyth County;
  - (b) Receive adults, neonates or pediatric patients up to four years of age being treated or hospitalized outside Forsyth County for ground ambulance transportation to a hospital within Forsyth County;
  - (c) Transport by ground ambulance adults, neonates or pediatric patients up to four years of age from one hospital to another within Forsyth County; and
  - (d) Transport by ground ambulance adults, neonates or pediatric patients up to four years of age, who are referred to North Carolina Baptist Hospital, to hospitals that are located outside of Forsyth County if the appropriate facilities at North Carolina Baptist Hospital are filled to capacity.

The services identified in Section (1) herein may be emergency or non-emergency as defined in Chapter 5 of the Forsyth County Code.

For the purposes of this Ordinance, the term "neonate" is defined as an infant whose health is at risk as a consequence of low birth weight, pre-term delivery or other medical or surgical complications having their origin in the first 28 days of life.

(2) The franchise operator/Private Provider may also:

(a) Provide ground ambulance services as a primary responder to transport patients between Smith Reynolds Airport, North Carolina Baptist Hospital, and/or Forsyth Memorial Hospital;

(b) Provide critical care ground transport service for interhospital transport of patients who are in critical care units at hospitals outside Forsyth County and need to be transferred to the North Carolina Baptist Hospital in Winston-Salem. The patients transported shall be those who are not as acutely ill as those currently transported by helicopter; the patients transported shall be those requiring special care during transport for ventilator management and who need manipulation of certain intravenous medications. These ground ambulance units shall be certified as Category III by the North Carolina Office of Emergency Medical Services, in addition to the driver, the units shall be staffed by two (2) registered nurses or one (1) registered nurse and one (1) CCT paramedic. The Emergency Department of the North Carolina Baptist Hospital shall provide medical control and oversight; and

(c) Transport patients by ground ambulance between Forsyth Memorial Hospital and North Carolina Baptist Hospital who require one of the following: cardiac electrophysiology studies, intra-aortic balloon pumping, and extensive ventilator management secondary to adult respiratory distress syndrome. The ground units may also be used to transport patients with advanced life support outside the County and to transport patients or donor organs between Smith Reynolds Airport and North Carolina Baptist Hospital or Forsyth Memorial Hospital.

(3) The franchise operator/Private Provider shall operate as support response or backing for the Forsyth County Emergency Services Department during a catastrophe or emergency when requested and deemed necessary by the Forsyth County Emergency Services Director, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times be licensed to operate the ground ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The franchise operator/Private Provider shall at all times comply with all applicable federal, state, and local laws.

(6) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, workers' compensation, liability and property damage insurance coverage relating to the operations and personnel of the ground ambulance service as is reasonably required by Forsyth County through the County Risk Manager,

and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency transportation services are defined for the purposes of this ground ambulance franchise ordinance by Chapter 5, of the Forsyth County Code, entitled Ordinance Governing the Franchising of Ambulance Services in Forsyth County.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, aircraft, equipment and records of the franchise operator/Private Provider used for the air ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, aircraft, equipment, agreements, and insurance coverage.

(11) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(12) This franchise shall be effective and is granted for a period of five (5) years, beginning March 4, 2021, and expiring March 4, 2026.

**BE IT FURTHER ORDAINED**, that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 18<sup>th</sup> day of February 2021.

Adopted on second reading on this the 4<sup>th</sup> day of March 2021.

**ORDINANCE GRANTING AN EXTENSION OF A LIMITED AIR  
AMBULANCE FRANCHISE TO FORSYTH MEMORIAL HOSPITAL, INC.  
(EMERGENCY SERVICES DEPARTMENT)**

**WHEREAS** the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

**WHEREAS** the Emergency Services Director has determined that Forsyth Memorial Hospital, Inc., meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code;

**NOW, THEREFORE, BE IT ORDAINED**, by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of Forsyth Memorial Hospital, Inc., ("franchise operator/Private Provider"), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a limited air ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may receive patients being treated or hospitalized at North Carolina Baptist Hospital or at Forsyth Memorial Hospital in Winston-Salem, Forsyth County, for air ambulance transportation by helicopter to a point outside of Forsyth County, and may receive patients at points outside of Forsyth County for air ambulance transportation by helicopter to North Carolina Baptist Hospital or Forsyth Memorial Hospital in Winston-Salem, Forsyth County. These services may be emergency or convalescent.

(2) The franchise operator/Private Provider may only provide emergency air ambulance services from one point within Forsyth County to another point within Forsyth County as a second responder for Forsyth County Emergency Services when specifically authorized and coordinated in each case by Forsyth County Emergency Services. The franchise operator/Private Provider shall respond upon request or dispatch by Forsyth County Emergency Services, when the air ambulance service is reasonably available.

(3) The franchise operator/Private Provider may only provide convalescent (non-emergency) air ambulance service from one point within Forsyth County to another point within Forsyth County as a second responder for Forsyth County Emergency Services when specifically authorized in each case by Forsyth County Emergency Services. The franchise operator/Private Provider shall respond upon request or dispatch by Forsyth County Emergency Services, when the air ambulance service is reasonably available.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times possess a valid permit or license to operate the limited air ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference

to the extent they apply. The franchise operator/Private Provider shall at all times comply with all applicable federal, state and local laws, including but not limited to zoning and related permits.

(6) The franchise operator/Private Provider must meet all requirements of the rules and regulations of the North Carolina Office of Emergency Medical Service governing air ambulances and all applicable Federal Aviation Administration requirements.

(7) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, such workers' compensation, liability, casualty and property damage insurance coverage relating to the ambulance operations and personnel as is reasonably required and approved by the Forsyth County Risk Manager and shall provide the Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, aircraft, equipment and records of the franchise operator/Private Provider used for the air ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, aircraft, equipment, agreements, and insurance coverage.

(11) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(12) This franchise shall be effective and is granted for a period of five (5) years, beginning March 4, 2021, and expiring March 4, 2026.

**BE IT FURTHER ORDAINED** that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 18<sup>th</sup> day of February 2021.

Adopted on second reading on this the 4<sup>th</sup> day of March 2021.

**ORDINANCE GRANTING AN EXTENSION OF A LIMITED AIR  
AMBULANCE FRANCHISE TO NORTH CAROLINA BAPTIST HOSPITAL  
(EMERGENCY SERVICES DEPARTMENT)**

**WHEREAS** the Forsyth County Board of Commissioners having duly published notice and conducted a public hearing on the need for ambulance services in Forsyth County, hereby finds that adopting this ordinance is necessary to assure the provision of adequate and continuing ambulance services within Forsyth County and to preserve, protect, and promote the public health, safety, and welfare; and

**WHEREAS** the Emergency Services Director has determined that North Carolina Baptist Hospital meets both the State standards and the standards outlined in Chapter 5 of the Forsyth County Code;

**NOW, THEREFORE, BE IT ORDAINED**, by the Forsyth County Board of Commissioners, in accordance with N.C.G.S. 153A-250, Chapter 5 of the Forsyth County Code and other applicable laws, and upon application of North Carolina Baptist Hospital ("franchise operator/Private Provider"), a North Carolina Nonprofit Corporation, that the franchise operator/Private Provider is hereby granted an extension of a non-exclusive franchise as the franchise holder (or franchise operator) to operate a limited air ambulance service within Forsyth County, strictly subject to the following conditions:

(1) The franchise operator/Private Provider may receive patients being treated or hospitalized at North Carolina Baptist Hospital or at Forsyth Memorial Hospital in Winston-Salem, Forsyth County, for air ambulance transportation by helicopter to a point outside of Forsyth County, and may receive patients at points outside of Forsyth County for air ambulance transportation by helicopter to North Carolina Baptist Hospital or Forsyth Memorial Hospital in Winston-Salem, Forsyth County. These services may be emergency or convalescent.

(2) The franchise operator/Private Provider may only provide emergency air ambulance services from one point within Forsyth County to another point within Forsyth County as a second responder for Forsyth County Emergency Services when specifically authorized and coordinated in each case by Forsyth County Emergency Services. The franchise operator/Private Provider shall respond upon request or dispatch by Forsyth County Emergency Services, when the air ambulance service is reasonably available.

(3) The franchise operator/Private Provider may only provide convalescent (non-emergency) air ambulance service from one point within Forsyth County to another point within Forsyth County as a second responder for Forsyth County Emergency Services when specifically authorized in each case by Forsyth County Emergency Services. The franchise operator/Private Provider shall respond upon request or dispatch by Forsyth County Emergency Services, when the air ambulance service is reasonably available.

(4) The franchise operator/Private Provider shall respond in a timely manner to all service requests, authorized within Forsyth County pursuant to this Ordinance and Chapter 5 of the Forsyth County Code, and maintain the resources including personnel, equipment and vehicles within Forsyth County to timely respond.

(5) The franchise operator/Private Provider shall at all times possess a valid permit or license to operate the limited air ambulance service under the laws of the State of North Carolina, including those relating to certification as to equipment, vehicles, and personnel. The provisions of Article 7 of Chapter 131E of the North Carolina General Statutes are incorporated herein by reference

to the extent they apply. The franchise operator/Private Provider shall at all times comply with all applicable federal, state and local laws, including but not limited to zoning and related permits.

(6) The franchise operator/Private Provider must meet all requirements of the rules and regulations of the North Carolina Office of Emergency Medical Service governing air ambulances and all applicable Federal Aviation Administration requirements.

(7) The franchise operator/Private Provider shall procure and continually maintain, at its own expense, such workers' compensation, liability, casualty and property damage insurance coverage relating to the ambulance operations and personnel as is reasonably required and approved by the Forsyth County Risk Manager and shall provide the Risk Manager, and shall provide the County with certificates of insurance coverage and copies of insurance policies as may be requested by the County Risk Manager, pursuant to the provisions of Chapter 5 of the Forsyth County Code.

(8) The Forsyth County Emergency Services Director shall approve the name of the franchise operator or service within Forsyth County that is publicized and identified on its vehicles. Emergency and non-emergency ambulance services shall be defined for the purposes of this ambulance franchise ordinance by Chapter 5 of the Forsyth County Code.

(9) This franchise is non-transferable and shall be subject to suspension, revocation or termination by the Board of County Commissioners or the County Manager pursuant to the provisions of Chapter 5 of the Forsyth County Code, in the event of the violation of any of the conditions and restrictions contained herein, or for abandonment of the franchise or discontinuance of the exercise of the franchise privileges granted.

(10) The franchise operator/Private Provider shall permit access by representatives of Forsyth County at all reasonable times to the premises, personnel, aircraft, equipment and records of the franchise operator/Private Provider used for the air ambulance service, to determine if there is compliance with the conditions and restrictions of this ordinance. The franchise operator/Private Provider shall at all times maintain and have available records relating to the franchise and operations thereunder, including but not limited to permits, personnel information and certifications, aircraft, equipment, agreements, and insurance coverage.

(11) The franchise granted herein shall only be effective upon compliance with and during the period of compliance with the above conditions and restrictions.

(12) This franchise shall be effective and is granted for a period of five (5) years, beginning March 4, 2021, and expiring March 4, 2026.

**BE IT FURTHER ORDAINED**, that the franchise shall become effective upon final adoption after two readings.

Adopted on first reading on this the 18<sup>th</sup> day of February 2021.

Adopted on second reading on this the 4<sup>th</sup> day of March 2021.



## Fire Division

Gary L. Styers  
Fire Marshal  
(336) 703-2552  
styersgl@forsyth.cc

## Communications Division

Herb Swaim  
E-911 Systems Manager  
(336) 703-2554  
swaimhh@forsyth.cc  
3000 Aviation Drive  
Winston-Salem, North Carolina 27105  
Website: [www.forsyth.cc/Fire](http://www.forsyth.cc/Fire)  
Administration: (336) 703-2550  
Fax: (336) 727-2078



## Department of Emergency Services

**Timothy D. Black**

Director  
(336) 703-2751  
blacktd@forsyth.cc

Vacant  
Deputy Director ES  
(336) 703-2752  
@forsyth.cc

## EMS Division

R. Carr Boyd Jr  
Compliance Officer  
(336) 703-2753  
boydrc@forsyth.cc  
911 E. Fifth Street  
Winston-Salem, North Carolina 27101  
Website: [www.fcems.com](http://www.fcems.com)  
Administration: (336) 703-2750  
Operations: (336) 703-2760  
Billing: (336) 703-2770  
Fax: (336) 727-8088

Forsyth County, as specified in County Code Chapter 5, sets forth the conditions, limitations, restrictions, and requirements under which a person may provide ambulance services or operate ambulance(s) in the County. Currently, Forsyth County has four ambulance franchise providers: Novant Health (ground), WFU Baptist (ground and air), Nucare Carolina Ambulance, Inc. and Lifestar Emergency Services. The Board of County Commissioners approved renewal of these franchise providers in January 2015 for a period of 5 years. To date, renewal applications have been received from each of the current ambulance franchise providers requesting renewal. The Department of Emergency Services Director, Timothy D. Black, has approved all providers, to include the addition of an air transport provision for Novant, for submission to the Forsyth County Board of Commissioners to renew their Ambulance Franchise agreement for an additional 5-year period.

In accordance with the Ambulance Franchise code, the Department of Emergency Services annually surveys the market to determine if new entrants are interested or needed. This includes notification on the FCES website that the ambulance franchise application period is open, which runs from January through February of each year. Over the past five year period, the Department of Emergency Services has received three completed applications requesting ambulance franchise approval. In each case, Department of Emergency Services staff reviewed the submitted applications for compliance with the franchise agreement requirements, evaluated the need for additional providers, and met with each of the applicants. The Director of Emergency Services did not recommend the applicants for ambulance franchise approval based on sufficient ambulance service resources to meet system demand and/or inability of the applicant to meet the franchise requirements.

The notice of the 2021 Ambulance Franchise application period is posted on the FCES website. Applications will be accepted during January and February 2021. Applications submitted during this time period will be reviewed by the Department of Emergency Services Director and considered in light of current market conditions and the need for additional ambulance assets to meet service demand. It is evident that, if all renewals are granted, the current franchise providers with the County EMS resources are able to meet system demand.

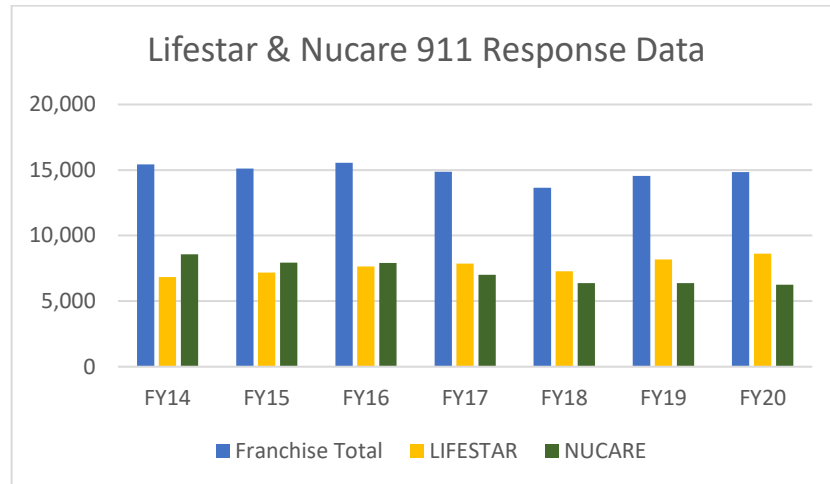
The current franchise providers deliver quality medical transport services that are imperative to the proper function of the Forsyth County EMS system. At the forefront of their service delivery is non-emergent transport of patients to help ensure emergency departments and hospitals have capacity to accept patients transported through the 911 emergency system. In addition, these entities perform point-to-point transfer of patients between medical facilities. While Forsyth County EMS must occasionally perform such transports, the vast majority are provided by the franchise providers. This helps to ensure FCEMS units are available to respond to emergency events within the County. In addition, the hospital units provide critical care level air and ground transport services. Throughout any given day patients who require non-emergent ambulance transport to physician appointments, between facilities for rehab, transport home, or other medically necessary ambulance transport are well served by these franchise providers.

The ambulance franchise partners also operate in the emergency 911 environment, assisting County EMS units with service demand. While the hospital assets are not part of the regular response plan, both franchise providers are required to assist for large scale events. These providers also provide air transport within the County as requested for critical patients who require more rapid transport than ground services can provide. Nucare and

[Type here]

Lifestar units are an integrated part of the 911 emergency response system. These entities each staff one basic life support (BLS) transport ambulance 24 hours/7days and one BLS transport unit 12 hours/6 days in the 911 system. These entities respond to roughly 14,000 911 EMS calls annually (See Chart 1). As an EMS system, the two franchise providers and FCEMS respond to over 60,000 calls for service each year. The EMS system in Forsyth County is tremendously busy making these providers a necessary part of the system.

**Chart 1:**



FCES staff monitor franchise provider services using a number of different mechanisms that ensure compliance with local and state benchmarks. In particular:

- Quality Management Committee (QMC) quarterly meetings. Each quarter, representatives from all pre-hospital ambulance providers and the hospitals meet to discuss system performance. This meeting is chaired by the Forsyth County medical director, who receives reports from all entities involved to ensure high quality service delivery and that all entities are in compliance with protocols and rules that govern the pre-hospital ambulance transport environment.
- Forsyth County Emergency Services Director, EMS Compliance Officer, and QM Coordinator are in regular communication with each of the franchise providers. The providers who operate in the 911 system submit monthly service delivery and patient care reports to FCES. In addition, FCES staff have access to audit and inspect these entities for compliance.
- The FCEMS Compliance Officer meets annually, in January, with the franchise services to review the operational agreement. During this meeting service delivery is reviewed and any necessary updates are made.

In general, FCES staff receive very few service delivery complaints about the franchise providers. Communication between FCES and these entities is regular and ensures that issues are quickly addressed and rectified. The current franchise providers seeking renewal of their agreements with the County are true partners in providing high quality response, transport, and care to those in Forsyth County requiring ambulance transport. As an added piece to this partnership, FCES, Nucare, and Lifestar applied and were selected by the Centers of Medicaid and Medicare to participate in the pilot Emergency Triage, Treat, and Transport (ET3) Model. This joint effort will begin in January 2021 for a 5-year period. FCES, in conjunction with these franchise providers, make up a true system of emergency and non-emergency care for those requiring ambulance medical transport that effectively serves Forsyth County citizens and visitors.

(for publication in the Winston-Salem Journal on January 22 & 29, 2021)

**NOTICE OF PUBLIC HEARING PURSUANT TO N.C.G.S. 153A-250  
ON SIX PROPOSED ORDINANCES GRANTING EXTENSIONS OF AMBULANCE  
FRANCHISES WITHIN FORSYTH COUNTY**

Notice is hereby given that pursuant to the requirements set forth in N.C.G.S. 153A-250, the Forsyth County Board of Commissioners will hold a public hearing on Thursday, February 4, 2021 at 2:00 p.m. in the Commissioners' Meeting Room on the fifth floor of the Forsyth County Government Center located at 201 N. Chestnut Street, Winston-Salem, NC on ordinances granting extensions of ambulance franchises to NuCare Carolina Ambulance, Inc., for its nonemergency ground ambulance franchise, LifeStar Emergency Services, LLC, for its nonemergency ground ambulance franchise, Forsyth Memorial Hospital, Inc., for its limited air and ground ambulance franchises and North Carolina Baptist Hospital for its limited air and ground ambulance franchises.

There will be no meeting place where members of the public can be physically present. The Meeting will be broadcast live at 2:00 p.m. on local cable channel WSTV 13- The Government Channel, [http://winston-salem.granicus.com/MediaPlayer.php?publish\\_id=29](http://winston-salem.granicus.com/MediaPlayer.php?publish_id=29) and <https://vimeo.com/forsythcountync>.

All persons interested in the proposed project are invited by the Board of Commissioners to present their views. If you wish to submit a written comment, please email to [sloopam@forsyth.cc](mailto:sloopam@forsyth.cc) by Friday, February 5, 2021.

This notice of public hearing shall be published once a week for two successive weeks before the public hearing.

FORSYTH COUNTY BOARD OF COMMISSIONERS  
Ashleigh M. Sloop, Clerk to the Board