

Committee Bill No. 1653

Page 1 of 4

Referred to Committee on *General Law*

ICO No. 4028

Introduced by ~~SEN~~ *Committee*

General Assembly,

January Session, A.D., 1971

AN ACT CONCERNING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF AMBULANCES AND AMBULANCE SERVICES.

CONNECTICUT  
STATE LIBRARY  
LEGISLATIVE REFERENCE  
SECTION

Be it enacted by the Senate and House of Representatives in

General Assembly convened:

Section 1. Section 20-383 of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: (a) No person shall operate [an] ANY AMBULANCE OR ambulance service FOR THE TRANSPORTATION OF THE SICK, INJURED OR INFIRM without [a license issued by the commission] FIRST HAVING OBTAINED FROM THE AMBULANCE COMMISSION, AFTER HEARING, A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SO OPERATE except in the event of a major disaster. (b) Applicants for a [license] CERTIFICATE shall use the forms prescribed by the commission and shall submit such application to the commissioner of health accompanied by an annual fee of one hundred dollars. (c) Each applicant shall furnish proof of financial responsibility sufficient to satisfy any claim (1) for damages by reason of personal injury to, or the death of, one person on account of any accident, of at least one hundred thousand dollars, and more than one person on account of any accident, of at least three hundred thousand dollars, (2) for damage to property of at least twenty-five thousand dollars, and (3) for malpractice in the care of one passenger of at least one hundred thousand dollars, or for more than one passenger of at least three hundred thousand dollars. A certificate of such proof shall be filed with the commission. [Upon determination by the commission or its designated agent

that an applicant is financially responsible, properly trained 38  
and otherwise qualified to operate an ambulance service, the 39  
commission shall issue a license effective for one year to such  
applicant.] (d) UPON THE FILING OF AN APPLICATION, THE PAYMENT 40  
OF THE FEE PRESCRIBED AND PROOF OF FINANCIAL RESPONSIBILITY, AS 41  
SET FORTH IN SUBPARAGRAPH (c), THE COMMISSION SHALL, WITHIN A 42  
REASONABLE TIME, FIX THE TIME AND PLACE FOR A HEARING THEREON AND 43  
SHALL MAIL NOTICE THEREOF TO SUCH PARTIES IN INTEREST AS THE 44  
COMMISSION DEEMS NECESSARY AND GIVE PUBLIC NOTICE THEREOF OF AT 45  
LEAST ONE WEEK PRIOR TO SUCH HEARING. (e) AFTER SUCH HEARING,  
THE COMMISSION MAY ISSUE TO THE APPLICANT A CERTIFICATE OF PUBLIC 46  
CONVENIENCE AND NECESSITY, IN A FORM TO BE PRESCRIBED BY IT, OR 47  
MAY REFUSE TO ISSUE THE SAME, AND IT MAY PRESCRIBE THEREIN SUCH 48  
LIMITATIONS AS IN ITS JUDGMENT PUBLIC INTEREST MAY REQUIRE. (f) 49  
IN DETERMINING WHETHER OR NOT SUCH A CERTIFICATE SHALL BE 50  
GRANTED, THE COMMISSION SHALL TAKE INTO CONSIDERATION THE  
EXISTING AMBULANCE FACILITIES AND THE EFFECT UPON THEM OF 51  
GRANTING SUCH A CERTIFICATE, THE PUBLIC NEED FOR THE SERVICE THE 52  
APPLICANT PROPOSES TO RENDER, THE SUITABILITY OF THE MANAGEMENT 53  
IF THE APPLICANT IS A CORPORATION, THE FINANCIAL RESPONSIBILITY 54  
OF THE APPLICANT, THE ABILITY OF THE APPLICANT EFFICIENTLY TO  
PERFORM THE SERVICE FOR WHICH AUTHORITY IS REQUESTED, THE 55  
CONDITION OF AND AFFECT UPON THE HIGHWAYS INVOLVED AND THE SAFETY 56  
OF THE PUBLIC USING SUCH HIGHWAYS. NO SUCH CERTIFICATE SHALL BE 57  
DENIED SOLELY ON THE GROUND THAT THERE IS AN EXISTING AMBULANCE 58  
SERVICE. WHEN IT APPEARS THAT NO AMBULANCE SERVICE IS BEING 59  
SUPPLIED OVER AN AREA APPLIED FOR, PUBLIC CONVENIENCE AND  
NECESSITY SHALL BE PRESUMED TO REQUIRE OPERATION OF SUCH SERVICE. 60  
(g) If the commission determines that an applicant is not [so] 61  
qualified, it shall notify such applicant of the denial of his 62  
application with a statement of the reasons for such denial. 63  
Such applicant may reapply upon submission of evidence that the 64  
disqualifying factor alleged by the commission has been corrected  
or improved. No fee shall be required for the first 65  
reapplication made if it is submitted to the commission within 66

one year of the date of the denial of the application. All fees collected shall be deposited in the general fund.

Sec. 2. Any person operating any ambulance or ambulance service for which a certificate of public convenience and necessity is required who is licensed to engage in such work on the effective date of this act shall be deemed to have complied with the provisions of section 1 of this act and shall be issued a certificate of public convenience and necessity by the ambulance commission upon application accompanied by evidence of compliance with the requirements of section 1 of this act, received by said commission not later than July 1, 1971.

Sec. 3. Section 20-381 of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: To protect the public health, safety and welfare the commission shall regulate the [licensing] CERTIFICATION and operation of ambulance services and the [certification] LICENSING of ambulance technicians, drivers and instructors and the standards for ambulance equipment. Said commission may perform such acts, issue and amend such orders, make and amend such regulations and rules of procedure and establish such minimum standards, consistent with this chapter, as are necessary to accomplish the purposes of this chapter.

Sec. 4. Section 20-386 of the general statutes is repealed and the following is substituted in lieu thereof: The commission may suspend or revoke any license OR CERTIFICATE granted hereunder after notice, public hearing and a determination by said commission that the licensee has violated any provision of this chapter, any regulation or order made pursuant to this chapter, or any other provision of the general statutes, the violation of which endangers the health, safety or welfare of the public which may rely on such ambulance service, technician, driver or instructor.

Sec. 5. Section 20-387 of the general statutes is repealed and the following is substituted in lieu thereof: Any person or organization aggrieved by the action of the commission in

refusing to issue or in suspending or revoking any license OR 96  
CERTIFICATION under the provisions of this chapter may, within 97  
thirty days thereafter, appeal to the court of common pleas for 98  
Hartford county which court may affirm, modify or reverse the  
decision of the commission. 99

Sec. 6. This act shall take effect from its passage. 100