

# CLARK COUNTY, NEVADA

## Business Impact Statement

The following Business Impact Statement was prepared pursuant to Nevada Revised Statutes (NRS) 237.080 and 237.090 to address the proposed impact of adoption of amendments to:

### Clark County Code Title 5, Chapter 5.03 – Ambulance Service

#### **Description of the proposed ordinance or rule:**

The proposed amendments to the Clark County Code will update and increase the maximum ambulance service rates, add a new maximum service rate for cardiac arrest patients that are treated on scene but not transported, extend the use of ambulance vehicles, and revise the procedures regarding mutual aid.

#### **Intent of the proposed ordinance or rule including issues to be resolved or other factors to be considered:**

The intent of this proposed ordinance is to increase the current maximum allowable service rates by 3%, to set future annual increases in rates based on the change in CPI-Medical Care Services to a minimum of 3% and a maximum of 5% and to add a maximum fee for cardiac patients that are treated by the franchisee but are not transported. The proposed ordinance would also allow franchisees to use their ambulance vehicles beyond 300,000 miles if a new engine and transmission is installed prior to the current 300,000-mile limit thereby extending the life of the vehicles. The proposed ordinance will require a franchisee that requests mutual aid to make such a request within sixty (60) seconds of receiving the call from the FAO and prevents the franchisee requesting the mutual aid, once the accepting franchisee has accepted the call, to cancel the request unless the accepting franchisee agrees.

#### **Description of the manner in which public comment, data or arguments was solicited from affected businesses and/or community stakeholders:**

On November 20, 2024, the County sent a Notification of Proposed Amendments to Clark County Code, Title 5, Chapter 5.03 – Ambulance Service (Notification Letter, Attachment #1) and the Proposed Ordinance to various chambers of commerce, trade associations, licensed medical facilities and insurance providers, attorneys, and other interested parties. The Notification was published in the Las Vegas Review-Journal on November 26 and December 3, 2024 (Attachment #2). The Notification and proposed ordinance were also available on the Department of Business License's website. Recipients of the Notification Letter were encouraged to respond with any comments or concerns regarding the proposed ordinance.

**Summary of public comment, data or arguments including the number of public comments received:**

Following a comment period that lasted 15 working days, three (3) written comments were received. **[County responses to comments are in bold text and bracketed.]**

**Response #1 – Guardian Elite Medical Services, LLC – (Attachment #3)**

A response was received from Guardian Elite Medical Services (GEMS) who is licensed as a Special Event Medical Services Provider. GEMS commented that the restriction of three ambulance franchisees prohibits its ability to expand into general emergency and non-emergency ambulance services. Other issues presented by GEMS are:

1. Mutual Aid Requests – The revised procedures for mutual aid allows existing providers (franchisees) to maintain dominance in this area. **[The County Board has limited the number of franchised ambulance service providers to three and the County is currently at that limit.]**
2. Ambulance Service Rates with CPI Adjustments - The increase in ambulance service rates do not account for the operational constraints faced by businesses restricted to special event services. The inability to bill for broader EMS services restricts revenue potential. **[Only franchised ambulance service providers may provide emergency and non-emergency ambulance services. The County does not regulate rates charged by special event service providers.]**
3. Vehicle Use Extension – The increase in mileage that an emergency ambulance may be used is not applicable to GEMS, but it highlights the disparity in regulatory standards due to GEMS; inability to expand into emergency or non-emergency ambulance services. **[NRS 244.187 grants the County Board the authority to displace or limit competition in several areas, including ambulance services, to provide adequate, economical and efficient services to the inhabitants of the County and to promote general welfare to those inhabitants. The County Board adopted a resolution setting the limit to three franchised ambulance services.]**

GEMS states that maintaining the exclusivity of the three ambulance franchisees restricts competition, prevents market growth and limits service expansion. Solutions proposed by GEMS are to reassess the three-provider restriction, integrate special event providers into broader EMS and ensure equitable access to benefits from amendments.

**Response #2 – AMR and MedicWest Ambulance – (Attachment #4)**

AMR and Medic West Ambulance (AMR/MWA) submitted a joint response to the proposed ordinance regarding the following issues/questions:

1. Sec. 5.03.115(i) – What defines “maintained in a professional appearance and kept fully functional at all times”? Does both the engine and transmission have to be replaced

prior to reaching 300,000 miles or is it either? **[In order to extend the life of an ambulance, both a new engine and a new transmission would need to be installed before reaching 300,000 miles.]**

2. Sec. 5.03.120(c) - AMR/MWA is proposing that the annual increase in service rates be limited to a minimum of 4% and a maximum of 6%, because the rates have not kept up with the costs associated with providing services within Clark County.
3. Sec. 5.03.140(g) – The statement that a franchisee requesting mutual aid cannot use the response time of the accepting franchisee to enhance their percentage conflicts with the previous statement in that same section that states “the requesting franchisee will count that call [mutual aid call] in its total monthly calls in calculating its ninety percent on-time response requirements of this section and will be responsible for any incidental late penalties”.
4. Sec. 5.03.140(j) – Recommend changing an upgraded call from O/A Level to B/C/D/E Level call to an upgrade from ILS capable to ALS required and that the clock start time begins at the time of the upgrade.

### **Response #3 – Falck USA, Inc. – (Attachment #5)**

Falck USA, Inc. an EMS and healthcare provider in the U.S. (Falck) submitted a response to the proposed ordinance regarding the following issues/questions:

1. Falck recommends applying language to an agreement instead of a city ordinance. **[The County has three different franchisees for ambulance services and maintaining common provisions that affect all are more easily done through county code amendments.]**
2. Falck recommends adding a mass gathering policy for large scale events. **[The franchise agreements provide for cooperation on emergency events and training, including providing services for a mass-casualty event and participating in the training and rehearsing on the National Incident Management System and the Southern Nevada Health District Mass Casualty Plan every two years.]**
3. Falck recommends a one-time adjustment to the ambulance service rates of \$314 which will align with the City of Las Vegas Fire & Rescue study that shows costs increased by 60%.
4. Falck recommends an increase to the current fee schedule with recommended options for fee adjustment language.

### **Public availability of the Proposed Ordinance and Business Impact Statement:**

Upon request, a copy of the proposed ordinance and Business Impact Statement can be obtained from the Clark County Department of Business License and such requests should be sent to:

Clark County Department of Business License  
Chapters 8.20 & 8.24  
500 S. Grand Central Pky., 3<sup>rd</sup> Flr  
Box 551810  
Las Vegas, NV 89155-1810

or a copy may be obtained from the following website:

[www.clarkcountynv.gov/businesslicense](http://www.clarkcountynv.gov/businesslicense).

**Number of businesses likely to be affected by the proposed ordinance:**

There are three (3) franchised ambulance service providers that will be affected by this proposed ordinance and there are over 400 medical service providers and over 100 insurance providers licensed in the County that could potentially be affected by this ordinance.

**The following chambers of commerce and trade associations were notified of the proposed rule:**

**Chamber of Commerce**

African Chamber of Commerce and Tourism  
American Vietnamese Chamber  
Armed Forces Chamber of Commerce  
Asian Chamber  
Boulder City Chamber  
Filipino American Chamber of Commerce of Greater Nevada  
Gay and Lesbian Chamber of Commerce  
Henderson Chamber of Commerce  
Indian Chamber  
Korean American Chamber of Commerce, Nevada  
Korean Chamber  
Las Vegas Asian Chamber of Commerce  
Las Vegas Health & Fitness Chamber of Commerce  
Las Vegas Wedding Chamber of Commerce  
Latin Chamber  
Laughlin Chamber  
Mesquite Chamber  
Moapa Valley Chamber  
Native American Chamber of Commerce  
Peruvian Chamber of Commerce  
Sin City Chamber  
Southern Nevada Veterans Chamber of Commerce  
Urban Chamber  
Vegas Chamber

Ward 5 Chamber of Commerce Las Vegas  
Women's Chamber

**Trade Associations**

ABC (Associated Builders and Contractors)  
Building Owners and Managers Association  
Certified Commercial Investment Member Association of Southern Nevada  
Clark County Association of Health Underwriters  
Clark County Medical Society  
Commercial Alliance Las Vegas  
Greater Las Vegas Association of Realtors  
Las Vegas Hospitality Association  
NAIOP (National Association for Industrial and Office Parks)  
Nevada Banking Association  
Nevada Broadcasters Association  
Nevada Business Aviation Association  
Nevada Farmers Bureau  
Nevada Franchised Auto Dealers Association  
Nevada Homebuilders Association  
Nevada Hospital Association  
Nevada Hotel and Lodging Association  
Nevada Legal Services  
Nevada Manufacturers Association  
Nevada Mining Association  
Nevada Petroleum Marketers and Convenience Store Association  
Nevada Press Association  
Nevada Professional Facility Managers Association  
Nevada Resort Association  
Nevada Restaurant Association  
Nevada Rural Electric Association  
Nevada Rural Hospital Partners  
Nevada Society of Certified Public Accountants  
Nevada Subcontractors Association  
Nevada Taxpayers Association  
Nevada Telecommunications Association  
Nevada Trucking Association  
NFIB (National Federation of Independent Businesses)  
Public Relations Society of America, Las Vegas Valley Chapter  
Realtors  
Retail Association of Nevada  
Southern Nevada Homebuilders Association  
Work Health Solutions

**Summary of any workshop(s) held pursuant to NRS 237.080(5):**

The County did not receive any request for a workshop from any chambers of commerce and/or trade associations pursuant to NRS 237.080(5). Therefore, no workshop was conducted.

**The estimated economic effect of the proposed ordinance or rule on businesses:**

**1. Adverse effects**

The proposed ordinance may increase medical costs and insurance rates as a result of the 3% increase in ambulance service rates.

**2. Beneficial effects**

The proposed ordinance would allow ambulance franchisees to use their emergency vehicles for a longer time saving investment in additional capital. The increase in ambulance service rates will provide additional revenue for the ambulance franchisees as the regular annual increases for the past few years in CPI have been minimal.

**3. Direct effects**

The increase in ambulance service rates will have a positive effect on the franchisees' revenues to the extent of the percentage of charges collected. The additional rate for cardiac arrest patients that are treated by the franchisee but not transported may generate some additional revenue for the franchisee. The ability to replace the engine and transmission of emergency vehicles would save costs and delivery time in replacing such vehicles at 300,000 miles. Requesting mutual aid within 60 seconds of receiving the call from the FAO allows the franchisee accepting the request additional time to arrive on scene.

**4. Indirect effects.**

Not allowing a franchisee that requests mutual aid to cancel the call, unless the accepting franchisee agrees, allows the accepting franchise to continue to the call location and not be cancelled at the last minute when they may be far from their service area.

**5. Other economic effects to be considered.**

No other economic effects were identified.

**Description of the methods that local government considered to modify the proposed ordinance or rule; or otherwise reduce the impact of the proposed rule on businesses, the parties involved, and a statement of the methods used:**

A franchisee sought clarification on the increase in ambulance service rates provided for in Section 5.03.120(c)(1) as to the effective date. Language was added to the proposed ordinance that stated

“for the fiscal year beginning February 1, 2025, and for each successive fiscal year beginning February 1 thereafter, the rates will be adjusted“.

**The estimated cost to the local government for the enforcement of the proposed ordinance or rule:**

It is anticipated that the enforcement of this proposed ordinance will be absorbed by current staff.

**If applicable, explanation of a new fee or increase to an existing fee including a projection of the annual revenue expected to be collected and the manner in which the revenue will be utilized:**

The proposed ordinance increases the maximum allowable ambulance service rates that the franchisees may charge to their customers, which would have a minimal effect on business license fees paid to the County. Any additional fees generated by this proposed ordinance collected would go to the County General Fund to offset the cost for enforcement of this ordinance.

**Assessment of provisions of the proposed ordinance or rule, which may duplicate or are more stringent than Federal, State or local standards regulating the same activity:**

The proposed amendments do not duplicate and are not more stringent than Federal, State or local standards.

**If applicable, explanation of why the duplicative or more stringent provisions are necessary:**

Not applicable.

**The reasons for the conclusions regarding the impact of the proposed rule on businesses:**

The provisions in the proposed ordinance are necessary to provide for a more fair way of treating mutual aid requests and to provide additional financial benefits to the franchised ambulance service providers.

**Certification of Business Impact Statement**

Pursuant to NRS 237.090 (2), I, Kevin Schiller, as County Manager for Clark County, Nevada, hereby certify that, to the best of my knowledge and belief, the information contained in this statement was prepared properly and is accurate.



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Kevin Schiller  
County Manager

12-23-2024

Date