



EMERGENCY MEDICAL SERVICES (EMS)

DEFINITIONS AND FREQUENTLY ASKED QUESTIONS (FAQs)

v. December 2021

DEFINITIONS

Health Care Facility: EMS rules shall use the same definitions as “health care facility” in [ORS 442.015](#).

FAQs

1. When will these newest Multnomah County EMS Administrative Rules go into effect?

These rules shall go into effect when the current emergency waiver, under the existing County declared emergency, ends. This is now scheduled for March 2022.

2. Why didn't the County write out the entire health care facility definition into the rule?

At this time the County will not be more restrictive than the State in our recognition of a health care facility, and will continue to follow the Oregon Revised Statute and Oregon Health Authority definitions of a health care facility. We understand the State legislature may change, alter, increase, or decrease the facilities recognized as health care facilities. As such, the reference permits the County the most flexibility foreseeing future legislative changes.

3. When am I required to use an ambulance in Multnomah County and why?

An ambulance is required:

- A. For all 911 medical emergencies,
- B. When a patient on a stretcher requires an interfacility transfer or pre-arranged non-emergency transfer from one health care facility to another health care facility,
- C. Any time a patient requires medical observation, assessment, care or monitoring during transportation, such as when the transportation provider must administer oxygen, monitor an IV, or other medical devices.

Why is an ambulance required in the above instances?

An ambulance is required to optimize population and patient safety and comply with all related State and Federal rules. Multnomah County EMS presumes an ill, injured or disabled patient on a stretcher and requiring transportation to and from a location providing licensed and regulated health care may also require some level of medical assessment, observation, treatment or care between the two locations. Additionally, the County's Ambulance Service Plan (Ordinance 1238) states an ambulance shall be used for pre-arranged non-emergency transfers and interfacility transfers, and provided by licensed ambulance providers and in ambulances licensed and regulated by Multnomah County. Moreover, State laws and rules set minimum ambulance licensing, staffing standards, and preclude any non-emergency medical transportation provider (e.g. stretcher providers, wheelchair cars, for hire

taxis) from carrying or administering oxygen, other medications, and medical treatment. Stretcher cars are not considered health care, nor are they staffed, trained or equipped to deliver any level of health care. Additionally, the Oregon Medical Board, Department of Transportation and the Food and Drug Administration also have regulations related to administration and provision of prescription medications and transportation of hazardous materials. At no time can the County allow anything less than State or Federal laws and rules require.

4. When can I use a stretcher car?

A stretcher car may be used for patients being transported to and from locations *other than* health care facilities and who *do not* require medical observation, assessment, care or monitoring. A stretcher car can be used to transport a patient to a health care facility from a non-health care facility and vice versa. For example, a stretcher car can be used to transport a patient from a hospital to their assisted living facility or private residence so long as the patient does not require medical observation, assessment, care or monitoring during transport. A stretcher car may also be used to transport a patient from their home (e.g. private residence, assisted living facility) to an outpatient dialysis center or to other medical appointments so long as the patient does not require medical observation, assessment, care or monitoring during transport. However, a patient going from a skilled nursing facility to a hospital or from a dialysis center to a skilled nursing facility must be transported in a licensed ambulance; this is because the patient is on a stretcher and going to and from a health care facility.

5. Can I use a stretcher car to transport my patient to and from a health care facility if they are using the stretcher solely for comfort and not for a medical condition?

No. If the patient is transported on a stretcher for any reason, and going to and from a health care facility (as defined in our rules), then they must be transported in an ambulance.

6. Can I use a stretcher car to transport my patient from a health care facility (e.g. hospital) to a non health care facility (e.g. private residence), if they are using the stretcher solely for comfort and not for a medical condition?

As long as the transport is not going to and from a healthcare facility (as defined in our rules), and is not an interfacility transfer, then a stretcher car may be used.

7. Do I need to use an ambulance for a patient who supplies and manages their own supplemental oxygen?

Maybe. An ambulance is not required if the patient supplies, maintains and monitors their own supplemental oxygen so long as they are not on a stretcher and going to and from a health care facility. These individuals may be transported by a "for hire" transportation provider, so long as the transportation provider does not need to provide any support for this supplemental oxygen nor provide any other health care assessment, monitoring, care or treatment. The only provider that may legally provide, transport, and administer medical oxygen during transportation is a licensed EMS provider, in a licensed ambulance. Oxygen is considered a hazardous material by the Department of Transportation (DOT) and a prescription medication by the Federal Drug Administration (FDA). The Oregon Health Authority EMS & Trauma Section and the Oregon Medical Board (OMB) similarly have regulations to ensure transport and administration requirements are met. These Federal and State

regulatory requirements are the framework that MCEMS and its licensed ambulances and EMS providers conform to.

8. What is a “for hire” transport provider?

This is a term used for transportation providers who are required to be Licensed with the City of Portland Bureau of Transportation to legally operate. This generally includes providers who are paid to transport people, such as for ride share services, comfort cars, taxis, wheelchair vehicles, and stretcher cars. This does not include ambulances that are licensed and regulated by the County and State.

9. Can I transport a patient in a wheelchair van, taxi or other vehicle from a healthcare facility to another healthcare facility, if they do not require a stretcher?

Yes. The 911 emergency transports, interfacility transfers, and pre-arranged non-emergency transfers are specific to transportation of a patient on a stretcher. If a stretcher is not used, and there is no need for medical observation, assessment, care or monitoring during transport between two health care facilities, EMS-120 does not apply.

10. What do you consider a health care facility?

Multnomah County EMS rules are using the same definitions of health care facility as written in [ORS 442.015](#).

11. Is a detox or substance use stabilization center considered a health care facility?

No. The State and County health care rules do not consider a detox facility to be a health care facility per ORS 442.015 (12.b.D.).

12. Isn't using an ambulance for these non-emergency transports taking ambulances away from emergencies?

In Multnomah County, non-emergency licensed ambulances *do not* also provide 911 emergency ambulance services in Multnomah County. Our exclusive 911 emergency ambulance provider may, at its discretion, use its vehicles for emergency and non-emergency transportation.

13. How many non-emergency ambulances are licensed in Multnomah County?

We have licensed almost one hundred ambulances in Multnomah County (with multiple provider agencies) that only provide non-emergency ambulance services.

14. How many 911 emergency ambulances are licensed in Multnomah County?

Multnomah County has roughly forty ambulances licensed to provide 911 emergency medical response and transportation. The number of licensed ambulances is not the same as the number of staffed ambulances.

15. Why are there delays in non-emergency transports?

There are likely multiple reasons that include, but are not limited to, available vehicles due to types of transports a provider will take, what other work a provider has committed to performing, how a

provider is staffed, what the hours of operation are, or if a provider has chosen to contract with a particular entity.

The County's regulations do not make a provider accept any specific non-emergency transport. The County regulations do not limit the number of ambulances any entity may have, nor the number of EMS Providers they staff.

16. Is the County responsible for timeliness, late or canceled non-emergency ambulance transports?

Multnomah County regulations do not include response time standards for non-emergency ambulance transports. Response time performance standards are usually agreed upon between the contractor, payer, and provider for specific non-emergency transport services. The County does have vehicle, equipment, supplies, staff, training, and medical direction standards.

17. How is a stretcher car staffed?

A stretcher car is staffed with a minimum of one driver. There shall be no attendant in back with the person being transported.

18. How is a non-emergency basic life support (BLS) ambulance staffed?

A BLS non-emergency ambulance is staffed with a minimum of one licensed emergency medical technician basic (EMT) and one qualified driver. The EMT must remain in the patient care compartment with the patient during transport. This requirement is the same as the state minimum staffing requirement for a BLS ambulance.

19. How is a non-emergency advanced life support (ALS) ambulance staffed?

An ALS, non-emergency ambulance is staffed with a minimum of one licensed paramedic, and one licensed emergency medical technician basic (EMT). The Paramedic must remain in the patient care compartment with the patient during transport.

20. How is a 911 emergency medical ambulance staffed?

In Multnomah County, a 911 emergency ambulance is staffed with a minimum of two licensed Paramedics. One of the Paramedics must remain in the patient care compartment with the patient during transport.

21. Why do rules apply differently when a transport begins or ends outside of Multnomah County versus when the transport begins and ends in Multnomah?

Multnomah County Health Code § 21.400 explicitly defines when the County ambulance laws and rules apply. Ambulance transport and licensing rules apply when doing business in the County, as defined in County Code Chapter 21, and calls originate within Multnomah County. Other Counties will have different laws, codes, or rules which apply.

22. My patient needs a hospice assessment, do they need to go by ambulance?

Maybe. If the patient does not require a stretcher, medical observation, assessment, care or monitoring, and they are not being transported to and from a health care facility, then they do not

need to be transported by ambulance. However, if a patient requires medical observation, assessment, care or monitoring regardless of the need for the stretcher then the State requires that only a licensed medical provider transport them.

23. If I want to operate a stretcher car in Multnomah County, does it need to be licensed as an ambulance? Are there specific Multnomah County licensure requirements?

Stretcher cars are not licensed by Multnomah County EMS, they do not directly fall under EMS laws or regulations. There may be other State, County, or City licensing required, but the Multnomah County EMS Program does not regulate stretcher cars, so long as the stretcher cars are not performing EMS services, or ambulance transports.

24. Does a stretcher car need to be inspected and approved prior to going into service in Multnomah County?

Stretcher cars are not regulated by Multnomah County EMS; they do not directly fall under EMS laws or regulations. There may be other State, County, or City entities that do require inspections of these vehicles, but the Multnomah County EMS Program does not regulate what they do so long as the stretcher cars are not performing EMS services or ambulance transports.

25. Is an agency allowed to transport an ambulatory or wheelchair patient on the stretcher inside a stretcher car?

From the County's perspective, yes. So long as the transport is not an 911 transport, an interfacility transport, or a pre-arranged non-emergency transport. The use of a stretcher car will follow the pick up and destination requirements used to determine if the transport requires an ambulance or not. Transport from a health care facility to a health care facility on a stretcher will be considered a violation regardless of the reason the stretcher was used by an entity that is not a licensed ambulance.

26. Isn't [the previous question] a limitation of the use of stretcher cars?

Prior to this [December 2021] rule change, The County has prohibited the operation of stretcher cars since 1994. The County Chair temporarily allowed for the use of stretcher cars during the County's declared Emergency (which began December 2019). The rule change made in December 2021 is a substantive allowance over what was previously permitted.

27. Why the change to allow stretcher cars?

Multnomah County has implicitly prohibited the operations of stretcher cars since the adoption of the 1994 Ambulance Service Plan, and explicitly with an EMS Administrative Rule update in 2018 following a series of violations and enforcements. During the COVID pandemic, the Multnomah County Chair made an emergency declaration (December 2019) permitting the use of stretcher cars for the duration of the County Declared Emergency.

Both the State and County Emergency Declarations are set to end in the near future unless extended. Following a detailed review of the stretcher car use during the emergency, the County removed the explicit prohibition, and created a defined and specific allowance of stretcher cars which is still consistent with the 2018 Ambulance Service Plan (Ordinance 1238).