

1 KENTUCKY BOARD OF EMERGENCY MEDICAL SERVICES

2 (Amendment)

3 202 KAR 7:501. Ambulance agency licensure.

4 RELATES TO: KRS 216B.020(2)(f), 311A.030, 311A.060, 311A.190

5 STATUTORY AUTHORITY: KRS 311A.020, 311A.025, 311A.030, 311A.060,  
6 311A.190

7 CERTIFICATION STATEMENT: This is to certify that this administrative regulation  
8 complies with the requirements of 2025 RS HB 6, Section 8.

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 311A.020 requires the Board of  
10 Emergency Medical Services to exercise all administrative functions in the regulation of the EMS  
11 system and the licensing of ambulance services and medical first response agencies, except those  
12 regulated by the Board of Medical Licensure [~~Emergency Medical Services~~] or the Cabinet for  
13 Health and Family Services. KRS 311A.030 requires the board to promulgate administrative  
14 regulations for the licensing, inspection, and regulation of ambulance providers and medical first  
15 response agencies. This administrative regulation establishes minimum ambulance agency  
16 licensing requirements.

17 Section 1. Applying for Licensure.

18 (1) An applicant shall submit:

19 (a) A completed Initial Ground [~~Ambulance~~] Agency License Application;

20 (b) An application fee as established in 202 KAR 7:030; and

1       ~~[(e) A current map of the agency's intended service area; and]~~

2       (c) ~~[(d)]~~ A written description of the ambulance agency's geographic service area within  
3       the Commonwealth, which shall identify with specificity the complete boundary of the area served  
4       by the provider upon applying for initial licensure or if the service area has changed since the last  
5       written description ~~[map]~~ was provided to the KBEMS office. The written description ~~[map]~~ shall  
6       accurately reflect the service area as identified by the provider's ~~[providers]~~ Certificate of Need,  
7       if appropriate.

8       (2) The board shall conduct a physical inspection of an agency's premises prior to granting  
9       a license or license renewal.

10       (3) A license to operate shall be issued only for the person, service area, and premises,  
11       including the number of ambulances, named in the application, and shall not be transferable.

12       (4) An agency shall display its license in a prominent public area at the service base station  
13       and at any fixed satellite location.

14       (5) The following information shall be included on the license issued by the office of the  
15       board:

16       (a) Operating name of the provider;

17       (b) Physical location of the base station;

18       (c) The number and physical location of satellite stations, if any, operated by the licensee;

19       (d) The license classification;

20       (e) The level of service provided; and

21       ~~[(f) The number of vehicles operated by the provider; and]~~

22       (f) ~~[(g)]~~ The specific geographic area to be served by the licensee.

23       (6) A license shall expire on December 31 following the original date of issue and shall

subsequently expire annually on December 31 of each year.

Section 2. License Renewal. To renew a license, the holder shall:

(1) Submit a completed Renewal Application for Class I, II, III, and IV Agencies [~~Ground Agency Renewal Application~~];

(2) Pass inspection conducted by the board of the agency's premises, equipment, supplies, vehicles, and records; and

(3) Submit a fee in the amount established in 202 KAR 7:030.

Section 3. Agency Changes.

(1) A new application shall be filed if a change of ownership occurs. A change of ownership for licenses shall be deemed to occur if more than fifty (50) percent of the assets, capital stock, or voting rights of a corporation or agency is purchased, transferred, leased, or acquired by comparable arrangement by one (1) person or entity from another.

(2) A new license application filed due to a change of ownership shall be filed, at minimum, ten (10) days prior to the change of ownership. The new license shall be issued for the remainder of the previous licensure period.

(3) There shall be full disclosure to the board of the changes, such as name and address, of:

(a) Each person having direct or indirect ownership interest of ten (10) percent or more in the agency;

(b) Officers and directors of the corporation, if an agency is organized as a corporation; or

(c) Partners, if an agency is organized as a partnership.

Section 4. Inspections.

(1) Compliance with licensing pursuant to this administrative regulation shall be validated through on-site inspections of the agency by representatives or employees of the KBEMS Office.

1 The inspection shall include a:

2 (a) Safety and maintenance check of all vehicles in operation;

3 (b) Review of all equipment and supplies stocked on vehicles; and

4 (c) Review of personnel records, policy manuals, and other reports required to be  
5 maintained pursuant to 202 KAR Chapter 7.

6 (2) Each representative or employee of the KBEMS Office shall have access to the service  
7 during hours that the agency operates.

8 (3) A regulatory violation identified during an inspection shall be transmitted in writing to  
9 the agency by the KBEMS office.

10 (4) Within ten (10) business days of receipt of the statement of violation, the agency shall  
11 submit a written plan for the elimination or correction of a regulatory violation to the KBEMS  
12 office.

13 (5) The plan shall specify the date by which the violations shall be corrected.

14 (6) Within ten (10) business days following receipt of the plan, the KBEMS office shall  
15 notify the agency in writing whether or not the plan is accepted as providing for the elimination or  
16 correction of the violation.

17 (7) The KBEMS office may conduct a follow-up visit to verify compliance with the plan.

18 (8) If a portion or all of the plan is unacceptable:

19 (a) The KBEMS office shall specify why the plan cannot be accepted; and

20 (b) The provider shall modify or amend the plan and resubmit it to the KBEMS office  
21 within ten (10) business days after receipt of notice that the plan is unacceptable.

22 (9) Unannounced inspections may be conducted for a:

23 (a) Complaint allegation;

1 (b) Follow-up visit; [øø]

2 (c) Relicensing inspection or[.]

3 (d) Random compliance audit.

4 Section 5. Unethical Conduct.

5 (1) The following acts shall be considered unethical conduct in the practice of providing  
6 emergency medical services and may be subject to the sanctions established in KRS 311A.060:

7 (a) Failure to submit, amend, or modify a plan of correction in order to eliminate or correct  
8 regulatory violations;

9 (b) Failure to eliminate or correct regulatory violations;

10 (c) Falsifying an application for licensing;

11 (d) Changing a license issued by the board;

12 (e) Attempting to obtain or obtaining a license by:

13 1. Fraud;

14 2. Forgery;

15 3. Deception;

16 4. Misrepresentation; or

17 5. Subterfuge;

18 (f) Providing false or misleading advertising;

19 (g) Falsifying, or causing to be falsified reports regarding patient care or other reports  
20 provided to the KBEMS office;

21 (h) Providing an unauthorized level of service;

22 (i) Failing to provide the board or its representative with information upon request, or  
23 obstructing an investigation regarding alleged or confirmed violations of KRS Chapter 311A or

202 KAR Chapter 7;

(j) Issuing a payment on an invalid account or an account with insufficient funds to pay established fees, fines, or charges;

(k) Submitting fraudulent or misleading claims for reimbursement; or

(l) Failure to comply with local ordinances, federal statutes, KRS Chapter 311A, or 202 KAR Chapter 7.

(2) Unless the agency receives prior approval from the board, an ~~An~~ agency whose license is currently under disciplinary review shall not be eligible to sell the license to another entity until all fines or fees owed to the board are satisfied and any associated legal action has been fully resolved.

(3) A licensed agency shall not be disciplined for responding to calls outside of its geographic service area if the agency is providing:

(a) Mutual aid at the request of and under an existing agreement with another licensed agency whose geographic service area includes the area in which the emergency or non-emergency call originates;

(b) Disaster assistance;

(c) Interfacility medical transfer from damaged or closed health facilities; ~~for~~

(d) Interfacility medical transfer to residents of its service area, who are patients in facilities outside of its service area, for the purpose of returning the patients to their home service area or transporting them to another health facility; ~~or~~

(e) A response authorized by 202 KAR 7:555; or

(f) Scheduled and non-scheduled medically necessary ambulance transportation within another service area where the licensed agency or agencies within the service area have denied

1 response.

2 Section 6. Exemptions from Administrative Regulations.

3 (1) The following situations shall be exempt from the provisions of this administrative  
4 regulation:

- 5 (a) First aid or transportation provided in accordance with KRS 216B.020(2)(f);  
6 (b) A vehicle serving as an ambulance during a disaster or major catastrophe; or  
7 (c) A vehicle operated by the U.S. government on property owned by the U.S. government.

8 (2) Out-of-state agencies licensed by and in good standing with another state shall be  
9 exempt from the provisions of this administrative regulation unless the agency:

- 10 (a) Transports a patient from a Kentucky location to another Kentucky location; or  
11 (b) Transports a Kentucky resident from Kentucky to another state more than six (6) times  
12 during a calendar year.

13 (3) In addition to the exemption set forth in subsection (2) of this section, out-of-state  
14 agencies licensed by and in good standing with a state contiguous to Kentucky shall be exempt  
15 from the provisions of this administrative regulation when the agency is responding

16 ~~[(2) The following out of state agencies shall be exempt from the provisions of this~~  
17 ~~administrative regulation:~~

18 ~~(a) A vehicle licensed by another state that is transporting a patient from out of state to a~~  
19 ~~Kentucky medical facility or other location in Kentucky;~~

20 ~~(b) A vehicle licensed by another state that is transporting a patient from out of state~~  
21 ~~through Kentucky to another location out of state;~~

22 ~~(c) A vehicle licensed in an adjoining state that responds]~~ to a mutual aid request from a  
23 Kentucky licensed provider for emergency assistance if the out-of-state agency ~~[out of state~~

service] is the closest service appropriately capable of responding to the request or if Kentucky licensed providers:

1. Are unavailable;
2. Have already responded; or
3. Are physically unable to reach the incident.]; and

~~(d) A vehicle licensed by another state that is providing nonemergency transportation from a Kentucky health care facility for a patient who is not a Kentucky resident back to their state of residence.]~~

Section 7. Public Notice of Negative Action. The board office shall publish, on the KBEMS web site or similar publication of the board, or otherwise disseminate, the name of any licensed agency that is fined, placed on probationary status, placed on restricted status, suspended, or had a license revoked.

#### Section 8. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Initial Ground Agency License Application", (5/2025) [~~"Ambulance Agency License Application", (12/2017)~~]; and


(b) "Renewal Application for Class I, II, III, and IV Agencies", (5/2025) [~~"Ground Agency Renewal Application", (12/2017)~~].

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Kentucky Board of Emergency Medical Services, 500 Mero Street, 5th Floor, 5SE32, Frankfort, Kentucky 40601 [~~118 James Court, Suite 50, Lexington, Kentucky 40505~~], Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material is also available on the board's Web site at: kbems.ky.gov



APPROVED BY THE BOARD ON: April 30, 2025

  
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John R. Holder, Chair  
Kentucky Board of Emergency Medical Services

5-14-25  
Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 22, 2025, at 1:00 PM ET at the Kentucky Board of Emergency Medical Services, 500 Mero Street, 5th Floor 5SE32, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: John K. Wood, counsel for the Kentucky Board of Emergency Medical Services, 163 East Main Street, Suite 200, Lexington, Kentucky 40507, Phone: (859) 225-4714, Email: [administrativeregulations@wgmfirm.com](mailto:administrativeregulations@wgmfirm.com).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

202 KAR 7:501

Contact Person: John K. Wood

Phone: (859) 225-4714

Email: [administrativeregulations@wgmfirm.com](mailto:administrativeregulations@wgmfirm.com)

(1) Provide a brief summary of:

(a) What this administrative regulation does:

KRS 311A.030 requires the board to promulgate administrative regulations for the licensing, inspection, and regulation of ambulance providers and medical first response agencies. This administrative regulation establishes minimum ambulance agency licensing requirements.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to establish the minimum ambulance agency licensing requirements.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 311A.030 requires the board to promulgate administrative regulations for the licensing, inspection, and regulation of ambulance providers and medical first response agencies. This administrative regulation conforms to the content of KRS 311A.030 by establishing the minimum ambulance agency licensing requirements.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

KRS 311A.030 requires the board to promulgate administrative regulations for the licensing, inspection, and regulation of ambulance providers and medical first response agencies. This administrative regulation assists in the effective administration of KRS 311A.030 by establishing the minimum ambulance agency licensing requirements.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment removes unnecessary application requirements, expressly allows unannounced random compliance audits, allows the Board to approve the sale of an agency that is subject to disciplinary action, allows agencies to provide scheduled and non-scheduled medically necessary ambulance transportation within another service area when the licensed agency or agencies within that service area have denied response, and clarifies and expands the exemptions applicable to out-of-state agencies.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to remove unnecessary requirements, to allow the sale of agencies subject to disciplinary action when such sale is in the best interest of the public, to provide faster response times for scheduled and non-scheduled medically necessary transports, and to clarify and update the exemptions applicable to out-of-state agencies.

(c) How the amendment conforms to the content of the authorizing statutes:

This amendment conforms to the content of KRS 311A.030 by establishing the minimum ambulance agency licensing requirements.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment will assist in the effective administration of KRS 311A.030 by clarifying and updating the minimum ambulance agency licensing requirements.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This administrative regulation affects all ground ambulance services.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Ground ambulance services will be required to satisfy the licensing requirements established by this administrative regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

No costs are directly established by this administrative regulation. However, agencies are required to pay the initial license application and renewal fees established in 202 KAR 7:030.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Ground ambulance services will benefit from the clarified licensing requirements of this amendment and will benefit from being able to provide scheduled and non-scheduled medically necessary ambulance transportation within another service area when the licensed agency or agencies within that service area have denied response.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation: Other than administrative costs, there will be no costs to the Board in implementing this administrative regulation.

(a) Initially: Other than administrative costs, there will be no costs to the Board in implementing this administrative regulation.

(b) On a continuing basis: Other than administrative costs, there will be no costs to the Board in implementing this administrative regulation.

(6) What is the source of funding to be used for the implementation and enforcement of this administrative regulation: The Kentucky Board of Emergency Medical Services is a state agency that receives its annual budget from the state government.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No increase in fees or funding will be necessary to implement this amendment.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

This regulation does not establish any fees.

(9) TIERING: Is tiering applied? Tiering is not applied to this administrative regulation because the amendment applies to all ground ambulance agencies.

## FISCAL IMPACT STATEMENT

202 KAR 7:501

Contact Person: John K. Wood

Phone: (859) 225-4714

Email: [administrativeregulations@wgmfirm.com](mailto:administrativeregulations@wgmfirm.com)

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 311A.030 requires the board to promulgate administrative regulations for the licensing, inspection, and regulation of ambulance providers and medical first response agencies. This administrative regulation establishes minimum ambulance agency licensing requirements.

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

KRS 311A.030, last amended by 2024 Ky. Acts ch. 94, sec. 1, requires the board to promulgate administrative regulations for the licensing, inspection, and regulation of ambulance providers and medical first response agencies. This administrative regulation establishes minimum ambulance agency licensing requirements.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

This amendment is promulgated by the Kentucky Board of Emergency Medical Services.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

All cities and counties operating or seeking to operate an ambulance agency.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):  
All ambulance agencies and entities seeking licensure as an ambulance agency.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: None

For subsequent years: None

2. Revenues:

For the first year: None

For subsequent years: None

3. Cost Savings:

For the first year: None

For subsequent years: None

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation:

No fiscal impact is anticipated as a result of this administrative regulation.

(b) Methodology and resources used to reach this conclusion:

This amendment does not increase any fees and is not otherwise expected to have a fiscal impact.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(13):

This administrative regulation will not have a major economic impact.

(b) The methodology and resources used to reach this conclusion:

This amendment does not increase any fees and is not otherwise expected to have a fiscal impact.

## SUMMARY OF MATERIALS INCORPORATED BY REFERENCE

The “Initial Ground Agency License Application”, (5/2025), is a new 17-page electronic form that must be completed and submitted to apply for a Class I, II, III, or IV agency license from the Board.

The “Renewal Application for Class I, II, III, and IV Agencies”, (5/2025), is a new 14-page electronic form that must be completed and submitted to apply for renewal of Class I, II, III, or IV agency license.