

1 10A NCAC 13P .1506 is proposed for adoption as follows:

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3 **10A NCAC 13P .1506 EMS VEHICLE PERMITS**

4 (a) The Department shall deny, suspend, or revoke the permit of an ambulance or EMS nontransporting vehicle if
5 the EMS Provider:

- 6 (1) failed to comply with the provisions of G.S. 131E, Article 7, and the rules adopted under that
7 Article;
8 (2) obtained or attempted to obtain a permit through fraud or misrepresentation;
9 (3) has continued deficiencies identified as repeated from previous compliance site visits;
10 (4) failed to provide emergency medical care within the defined EMS service area in a timely manner
11 as determined by the EMS System;
12 (5) continued to operate the ambulance or nontransporting vehicle in a county after written
13 notification by a Board of Commissioners to cease operations in that county;
14 (6) altered, destroyed or attempted to destroy evidence needed for a complaint investigation; or
15 (7) does not possess a valid EMS Provider License.

16 (b) In lieu of suspension or revocation, the Department shall issue a temporary permit for an ambulance or EMS
17 nontransporting vehicle whenever the Department finds that:

- 18 (1) the EMS Provider to which that vehicle is assigned has failed to comply with the provisions of
19 G.S. 131E, Article 7, and the rules adopted under that Article;
20 (2) there is a reasonable probability that the EMS Provider can remedy the permit deficiencies within
21 a length of time determined by the Department; and
22 (3) there is a reasonable probability that the EMS Provider will be willing and able to remain in
23 compliance with the rules regarding vehicle permits for the foreseeable future.

24 (c) The Department shall give the EMS Provider written notice of the temporary permit. This notice shall be given
25 personally or by certified mail and shall set forth:

- 26 (1) the duration of the temporary permit not to exceed 60 days;
27 (2) a copy of the vehicle inspection form;
28 (3) the statutes or rules alleged to be violated; and
29 (4) notice of the EMS Provider's right to a contested case hearing on the temporary permit.

30 (d) The temporary permit is effective immediately upon its receipt by the EMS Provider and remains in effect until
31 the earlier of the expiration date of the permit or until the Department:

- 32 (1) restores the vehicle to full permitted status; or
33 (2) suspends or revokes the vehicle permit.

34 *History Note: Authority G.S. 131E-156(c),(d); 131E-157(c);*
35 *Eff. January 1, 2013.*