

Purpose of the Municipal Statement of EMS Authority

Each BLSFR agency must have a statement of operational authority on file with the Department from the most local governmental authority having jurisdiction for the geography served by the BLSFR agency. Such authority derives from the fact that New York is a "home rule" state and because public health law does not of itself grant any specific "operational authority". Therefore, the Department requires such local municipal authorities to document their express permission for public safety entities to respond to, and render, emergency medical care. The Department will not issue, or allow to remain issued, BLSFR EMS Agency ID's to entities that do not possess and maintain local municipal authority to provide EMS.

Note that statements of authority to provide public EMS may be issued to any public safety service entity that is publicly dispatched and provides EMS on a regular and ongoing basis. Such statements do not apply to entities that do not have a primary response role, secondary response role or occasional response role. Also note that because the Department does not have jurisdiction to determine operational response, it is the local governing municipality that assumes all liability for granting operational response to provide EMS in the public environment. (Entities whose responses are limited to geography to which the general public does not have continuous unrestricted access are not eligible for DOH BLSFR recognition.)

A contract for services between a municipality and a public safety entity (eg: city, town or village with a fire company or department) may not substitute for this Municipal Statement of EMS Authority, unless the specific statements contained in such contract expressly obligate the public safety entity to provide EMS as defined by Article 30 of Public Health Law.

The authorizing signature must be of the chief elected municipal officer (ie: Mayor, Supervisor, etc.), or in the instance of a duly authorized Fire District, the chair of elected or appointed commissioners. Statements of authority must have been issued within the last 6 months at the time of submission to the Department.

There is an expectation that municipal jurisdictions granting EMS authority to any public safety entity shall require such entities to establish and maintain the eligibility criteria to be issued a DOH BLSFR EMS Agency ID, and rescind such authority should the public safety entity fail to meet or retain such eligibility criteria.

The issuance of an EMS Agency ID code to any BLSFR entity is a stand alone administrative action that does not guarantee access to Department tuition funding, participation in Department approved continuing medical education (CME) certification programs or any other Department program.