

BY-LAWS OF THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

ARTICLE 1 – NAME

The name of the council shall be the Emergency Medical Services Advisory Council, as provided for in section 401.245, Florida Statutes (F.S.). A short title for the council may be the “EMS Advisory Council” or “EMSAC”.

ARTICLE 2 – PURPOSE

The purpose of the council is to act as the advisory body to the emergency medical services program. This includes, but is not limited to, the evaluation of current state laws, administrative rules and policies regarding EMS in Florida and to make recommendations to the state Department of Health (DOH) as to changes that might be made to provide the best emergency health care possible to the residents and visitors of Florida. In prioritizing its pursuits, the council should be guided by the EMS State Plan and a strategic plan. In executing its purpose, the council shall:

- A. Promote and sustain a cooperative environment among all providers of EMS in Florida.
- B. Coordinate and communicate with agencies involved in EMS whether they are private, for-profit, non-profit, government, quasi-governmental, volunteer, or other such group, whose interest is in providing emergency medical care or emergency transportation.
- C. Review all EMS, health, and disaster related state statutes, administrative rules, planning documents, and policies to determine their appropriateness to the function of EMS in Florida as needed; based upon such reviews, report to the state DOH any recommendations.

ARTICLE 3 – MEMBERSHIP

A. Voting Members of the Council

(i) *Composition and Appointment:* Per F.S. 401.245(2)(a), there shall be no more than 15 members appointed to the council.

Per F.S. 401.245(2)(c), appointments to the council shall be made by the State Surgeon General, except that state representatives shall be appointed by the respective agency head for the ex officio members described in section B below.

Per F.S. 401.245(2)(b), council membership shall be comprised of:

- Two licensed physicians who are “medical directors” as defined in F.S. 401.23(15) or whose medical practice is closely related to emergency medical services;
- Two emergency medical service administrators, one of whom is employed by a fire service;
- Two certified paramedics, one of whom is employed by a fire service;
- Two certified emergency medical technicians, one of whom is employed by a fire service;

- One emergency medical services educator;
- One emergency nurse;
- One hospital administrator; one representative of air ambulance services;
- One representative of a commercial ambulance operator; and,
- Two lay persons who are in no way connected with emergency medical services, one of whom is a representative of the elderly.

(ii) *Residency Requirement:* Council members must be residents of the State of Florida.

(iii) *Terms:* Council members shall be appointed for 4-year terms in such a manner that each year the terms of approximately one-fourth of the members expire.

(iv) *Compensation:* Council membership is voluntary, and members shall receive no compensation but may be reimbursed for per diem and travel expenses in accordance with the rules and regulations of the State of Florida DOH.

(v) *Removal:* Per F.S. 401.245(3), any EMSAC member shall be removed by the State Surgeon General for malfeasance; misfeasance; neglect of duty; incompetence; permanent inability to perform official duties; or pleading guilty or nolo contendere, or being found guilty of, a felony.

In addition, a council member missing three or more consecutive meetings may be removed from the council by the State Surgeon General upon the recommendation of the council or the administrator of the state EMS division.

(vi) *Vacancies:* Per F.S. 401.245(2)(a), vacancies shall be filled for the remainder of unexpired terms in the same manner as the original appointment.

B. *Non-Voting Members of the Council*

(i) *Composition and Appointment:* Per F.S. 401.245(2)(b), Ex officio members of the advisory council from state agencies shall include, but shall not be limited to, representatives from the:

- Department of Education;
- Department of Management Services;
- State Fire Marshal;
- Department of Highway Safety and Motor Vehicles;
- Department of Transportation; and
- Division of Emergency Management.

Ex officio members shall be appointed by the respective agency head to the council.

(ii) *Vote:* Ex officio members of the council shall have voice at all meetings, but no vote.

ARTICLE 4 – OFFICERS

The council officers shall be chair, vice-chair, secretary and parliamentarian.

A. Selection:

(i) *Council Chair Appointment and Term:* The council chair shall be designated by the State Surgeon General and serve a term of two years.

(ii) *Other Officers Selections:* Any council member may submit council member nominees to the council chair for consideration for the offices of vice-chair, secretary and parliamentarian. The council chair will select the officers and request confirmation of the selection of officers by a simple majority vote of the council.

(iii) *Officer Terms:* Officers shall serve a two year term to run concurrently with the council chair's term.

B. Council Chair Duties:

The council chair shall:

- Preside at all regular and special meetings of the council;
- Conduct said meetings in accordance with Robert's Rules of Order;
- Provide agendas in advance of the meetings;
- Provide all council members an equal opportunity to be heard;
- Maintain a public list of the official council committees and their purposes;
- Maintain a list of each committee's members with their group representation or affiliation;
- Appoint council member committee liaisons;
- Be an ex officio member of all committees, responsible for their task completion;
- Maintain the approved committee by-laws form and provide it to all committees; and,
- Represent EMSAC at statewide meetings with strategic partners.

C. *Vice-Chair Duties:* The vice-chair, or in the absence of the vice-chair, another council member designated by the council chair, shall perform the duties of the council chair in the absence of the council chair, including representing the council chair at statewide meetings with strategic partners.

D. *Secretary Duties:* The secretary shall call the roll and determine the presence of a quorum for meetings at the direction of the council chair.

In addition, the secretary will record all action items, assignments, motions and votes during the meetings, and provide the information to the council members at least thirty days prior to the next meeting.

Secretary will also work with the state EMS office to ensure a full set of meeting minutes are completed and distributed to council members.

E. *Parliamentarian Duties:* The parliamentarian shall be knowledgeable of the organization's by-laws and Robert's Rules of Order to advise the council chair and council members in matters governed by these documents and procedures.

F. Vacancies:

(i) *Council Chair:* A vacancy in the office of council chair shall be filled by designation by the State Surgeon General for the remaining term of office.

(ii) *Other Officers:* Any vacancies in the offices of vice-chair, secretary, and parliamentarian shall be filled by council chair appointment for the remaining term of office, subject to confirmation of the appointment by a simple majority vote of the council.

G. Resignations: The council chair may resign by notifying the State Surgeon General in writing via email, or other written document, indicating the effective date of resignation.

The vice-chair, secretary or parliamentarian may resign an office by notifying the council chair in writing via email, or other written document, indicating the effective date of resignation.

ARTICLE 5 – MEETINGS

A. Call of Meeting: Per F.S. 401.245(4), the council shall hold meetings at the call of the council chair, upon the written request of five members of the council, or at the call of the EMS Administrator.

B. Meeting Notices: Notices of all regular meetings shall be distributed to the council members and constituent group presidents no later than thirty days prior to the meeting.

Notices for an emergency or special meeting shall be distributed no later than seven days prior to the meeting.

C. Proposals: All proposals for council action related to current state laws, administrative rules or policies regarding EMS in Florida, shall be distributed to council members and constituent group presidents no later than thirty days prior to the date of such proposed action.

D. Meeting Quorum: A quorum for an official meeting shall be a majority of the presently filled council member positions; any unfilled council position will not be considered in the base total when determining the quorum.

E. Voting at Meeting: Any item coming before the meeting requiring a vote by the council members will pass upon receipt of a simple majority of the members present at an official meeting, excluding the amendment of the by-laws which require a two-thirds vote as described in Article 7.

ARTICLE 6 – COUNCIL COMMITTEES

A. Standing Committees: In addition to the Executive Committee, the council recognizes specific standing committees. A standing committee continuously provides up to date research and information, stimulates engaging discussion on issues and concerns, and makes recommendations on important EMS topics to the council. The council's standing committees are:

- Education
- Medical Care
- Disaster Response
- Legislative
- Data
- Public Information, Education and Relations (PIER)
- EMS Strategic Visions
- Access to Care
- Air Medical

(i) Formation: Any council member may propose to the council the addition of a standing committee. To propose the formation of a standing committee the proposing council member must provide to the council members a description of why the committee is necessary and the purpose of the committee.

As the addition of a standing committee requires an amendment to these by-laws, a two-thirds vote by the council is necessary for a standing committee to be recognized.

B. Ad Hoc Committees: Any council member may propose to the council the formation of an Ad Hoc committee. Ad Hoc committees are temporary committees formed when a special committee is needed to guide and support the decisions and actions of the council on a specific topic or issue, or necessary to recognize an unrepresented EMS related special interest group.

(i) Formation: To propose the formation of an Ad Hoc committee the proposing council member must provide to the council members a description of why the committee is necessary, the purpose of the committee, and specify a sunset date on the committee.

An Ad Hoc committee shall be formed by a simple majority vote by the council.

(ii) Sunset Date: Each Ad Hoc committee shall have a specific date when the committee will automatically be dissolved. After this sunset date, no further action can be taken by the committee, unless the sunset date is extended by the council.

The council may extend the sunset date by a simple majority vote of the council.

C. Committee Member Representation: The committee chair will use their best efforts to include members on the committee which reflect the statutorily defined diverse make-up of the council. If requested, the committee chair will provide to the council chair a list of the committee members with the member's group representation or affiliation.

The council chair shall support the efforts of the committee chair to work toward achieving this desired committee member diversity.

D. Liaison: The council chair shall appoint at least one member of the council to each committee, who shall serve as liaison to the council to support the EMSAC Strategic Plan.

In addition, the council chair shall be an ex officio member of each committee and is responsible for their task completion.

E. *Committee Chairs*: If not appointed by the council chair, committee chairs shall be elected from the members of each committee by a simple majority vote.

F. *Committee By-Laws and Goals*:

(i) *Approved Committee By-Laws*: To establish and maintain consistent operational structures between the committees, and an overall alignment with the EMSAC By-Laws, all committees shall use the council approved committee by-laws form. They describe the purpose and operational structure of the committee.

(ii) *Committee Goals*: In addition to the by-laws, each committee must also establish goals and actions to achieve their identified purpose, including specific actions to achieve the EMSAC Strategic Plan. These are a separate document, not to be included in the committee's by-laws.

(iii) *Approved Committee By-Laws*: Although referenced herein, the approved committee by-laws form is not a part of these By-Laws. It is a separate document to be maintained by the council chair.

The council will approve the committee by-law form to be used, and may amend it, as needed, by a simple majority vote.

(iv). *Current Committees*: Within 6 months of the council approving the council approved committee by-laws form, all current standing and Ad Hoc committees will need to formally develop and adopt by-laws for their committee using the form.

G. *Committee Meetings*: All committees should meet in conjunction with, and provide a report to the council at, the EMS Advisory Council meetings.

H. *Official Council Committees*: The council chair shall maintain a public list of the official council committees and their purposes. If requested by the council chair, the council chair will also maintain a list of each committee's members with their group representation or affiliation.

I. *Committee Dissolution*:

(i) *Ad Hoc Committees*: Ad Hoc committees will automatically dissolve on their sunset date, or a council member may propose the early dissolution of an Ad Hoc committee. If the council determines the committee is no longer necessary to support the decisions or actions of the council, a simple majority vote will dissolve the Ad Hoc committee.

(ii) *Standing Committees*: Any council member may propose the dissolution of a standing committee. If the council determines the committee is no longer necessary to support the decisions or actions of the council, a two-thirds vote of the council will dissolve the standing committee, and amend the by-laws.

ARTICLE 7 – AMENDMENTS

A. *Proposal*: Proposed modifications or repeal of the by-laws may be brought before the council by:

- Five or more council members;
- A council officer; or,
- The EMS Administrator.

B. *Vote*: These by-laws may be repealed or amended upon a two-thirds vote of the council.

ARTICLE 8 – MISCELLANEOUS

A. *Official Council Communication*: Official written communication from the council shall be on council letterhead and signed by the council chair.

B. *Fiscal Year*: The fiscal year shall be the same as the state's; beginning July 1st and ending June 30th.

BY-LAWS APPROVED BY THE COUNCIL ON:

July 12, 2018

Malcolm T. Kemp

Signature of Council Chair