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To: EMS Medical Directors  
EMS System Coordinators

From: Ashley Thoele, MBA, BSN, RN  
Division Chief, EMS and Highway Safety

Date: April 14, 2020

Subject: Authority for System Amendments for Providers

As many of you are aware, the National Ambulance Contract was activated for New York. There are many of our EMS private ambulance providers that are part of this contract and responded. Let me say, that we are all for supporting a state when there is a crisis and responders are needed, but we must make sure that the proper notification is made before an ambulance and crew leave Illinois. I think for the most part, the systems were aware of who left Illinois for New York, but there are some systems that were never notified, nor was IDPH. I want to reiterate that it is not our intention to disapprove a request if the ambulances are not needed here, but for both the System and IDPH to be notified prior to deployment. Below are the sections of the EMS rules and regulations that identify the requirement that a provider must submit a system plan amendment and the EMS System will subsequently submit it to IDPH.

The Emergency Medical Services (EMS) System Act, 210 ILCS 50, establishes the Illinois Department of Public Health (Department) as the “central authority responsible for the coordination and integration of all activities within the State concerning pre-hospital and inter-hospital emergency medical services, as well as non-emergency medical transports, and the overall planning, evaluation, and regulation of pre-hospital emergency medical services systems.” 210 ILCS 50/2. The Department has the authority and responsibility to “require all Vehicle Service Providers, both publicly and privately owned, to function within an EMS system.” 210 ILCS 50/3.85(b)(1); 77 Ill. Adm. Code 515.800(h). An EMS System is defined as an organization of hospitals, Vehicle Service Providers and personnel which coordinates and provides pre-hospital and inter-hospital emergency care pursuant to a System Program Plan approved by the Department. 210 ILCS 50/3.20(a); 77 Ill. Adm. Code 515.100. The System Program Plan must include the specific information in Section 515.810 of the Department’s rules. Specifically, Vehicle Service Providers must provide specific information for each EMS vehicle, including *inter alia*, a description of the response areas, maps (indicating the base location, primary, secondary and out laying areas, and the population base and size of each service area), a commitment to 24-hour coverage, a commitment to optimum response times, a commitment that each ambulance will be appropriately staffed, a description of the back-up system which ensures adequate coverage, and an agreement to follow the approved EMS policies and protocols of the EMS System. 77 Ill. Adm. Code 515.810.

System Program Plan amendments must be submitted to the Department, and any amendments to the System Program Plan may not be implemented until approved by the Department. 77 Ill. Adm. Code 515.310(j). Any change in level of service or any change in response areas of Vehicle Service Providers are

modifications that require amendment of the System Program Plan. 77 Ill. Adm. Code 515.310(k)(6). Furthermore, changes in service area or methods of providing EMS services also constitute modifications requiring amendment of the System Program Plan. 77 Ill. Adm. Code 515.310(k)(4) and (5). In short, the reduction of Vehicle Service Providers is a change that must be approved by the Department before it may be implemented. When reviewing and approving a System Program Plan amendment for the reduction of Vehicle Service Providers, the Department will evaluate whether Section 515.810 has been satisfied, including but not limited to the commitment to optimum response time, 24-hour coverage, and the provider's back-up system.

Any change in level of service of Vehicle Service Providers without the Department's approval may result in suspension, revocation, denial, nonrenewal or the imposition of a fine. 77 Ill. Adm. Code 515.160. The Department is specifically authorized to impose fines on any licensed Vehicle Service Provider. 77 Ill. Adm. Code 515.160(d). Fines not to exceed \$10,000 may be imposed for a violation which creates a condition presenting a substantial probability that death or serious harm to an individual will result; fines not to exceed \$5,000 may be imposed for a violation which creates a condition that threatens the health, safety or welfare of an individual. Furthermore, the EMS System Act authorizes the Department to suspend, revoke, refuse to issue or refuse to renew the license of any Vehicle Service Provider when the Vehicle Service Provider "failed to comply with the standards and requirements of this Act or rules adopted by the Department pursuant to this Act." 210 ILCS 50/3.85(b)(6).

Again, our intent is to make sure that the EMS rules and regulations are followed, and all notifications are made. Please share this memo with your EMS providers.

If you have any questions, do not hesitate to contact your Regional EMS Coordinator or me.

Thank you