

EMS Agency Licensure Application

Agency Name and Fictitious Name FAQ

What is required in Question 2 on the licensure application?

This should match the agency's proper name as registered with the Pennsylvania Department of State. Punctuation should match, capitalization does not have to match, as some of the names on the Department of State's website appear in all capitalized letters.

In the event the proper name is too long to fit in the space allotted, do not abbreviate the name, continue to type the name until the field will not accept any additional letters. When the application is signed, write in the full proper name of the agency below the signature and date lines.

What is required in Question 3 on the licensure application?

This should match the name in dominant lettering on the side of the vehicle. If different vehicles have more than one variation of the name, each should be listed in question 3, separated by commas.

What is the proper name?

A proper name of an association (domestic or foreign) is the name set forth in its organizational/registration documents filed with the Department of State.

This can be verified at: <https://www.corporations.pa.gov/search/corpsearch>

What is a fictitious name?

A fictitious name is any assumed name, style or designation other than the proper name of the entity using such name.

Why is a fictitious name necessary?

The purpose of fictitious names is to establish the identity of those owning the business for the information of those who might have dealings with it. In other words, the public has a right to know with whom it is doing business. Therefore, any time that the name does not readily identify the owner(s) of the business, it should be registered as a fictitious name.

Where is the requirement for a fictitious name in the EMS System Act?

The requirement is in the rules and regulations for the EMS Systems Act.

20 PA Code § 1027.2 (2)

...If the applicant will be holding itself out to the public under different fictitious names for the EMS agency operations it will conduct at different locations, the fictitious name under which it intends to operate at each location.

When is a fictitious name required?

A fictitious name is required when the proper name of the organization does not match the name on the side of the vehicle (When question 2 and question 3 on the licensure application do not match).

When is a fictitious name NOT required?

When the name on the side of the vehicle and the proper name match. (When question 2 and question 3 on the licensure application are the same)

A fictitious name is not required when the variance between question 2 and 3 is one of the following corporate designators at the end of the proper name:

1. Corporation
2. Corp
3. Company
4. Co
5. Incorporated
6. Inc
7. Limited
8. LLC
9. Ltd
10. Association

What name must be on the side of the vehicle?

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A. Ground Ambulance Requirements

4. The name of the EMS agency or its registered fictitious name in letters at least 3" in size must appear on both the right and left exterior sides of the vehicle. The name must be the dominant lettering.

Question 3 on the licensure application must match what is on the side of the vehicle.

What symbols are acceptable on the side of the vehicle without requiring a fictitious name?

The only 2 symbols acceptable on the side of the vehicle that would not require a fictitious name are:

& in place of "and"

in place of "number" or "no."

Can a vehicle be re-lettered to match the proper name rather than filing a fictitious name?

The Bureau will not require an agency to re-letter a currently licensed vehicle. However, this is an option for an agency to comply with the rules and regulations. If an agency opts to re-letter a vehicle as opposed to registering a fictitious name, they should complete the attached fictitious name corrective action plan.

Please note, all vehicles added to a license after January 1, 2017 will be required to match the proper name or have a fictitious name registered.

Information in this FAQ is compiled from the rules and regulations for the EMS Systems Act, notices published in The Pennsylvania Bulletin, and information publicly available on the Pennsylvania Department of State's website.

Fictitious Name Corrective Action Plan

Agency Name: _____

Title 28 § 1027.2. *License and registration applications* requires agencies to submit on their licensure application any fictitious name the EMS agency plans to operate.

The Department considers the name appearing in dominant lettering on the side of the vehicle as the name under which an agency is operating, if this is not identical to the legal corporate name on file with the Department of State, it is considered a fictitious name and must be registered with the department of state as such.

All licenses will be issued with the DBA regardless if a name is registered with the Department of State. Please note that Medicare and Medicaid may deny payment if a DBA on the license is not registered as a fictitious name with the Department of State.

Please select the appropriate corrective action:

- I will register a fictitious name with the Department of State within 90 days
- I do not plan to register a fictitious name. All vehicles added to the license in the future will be lettered to match the legal name of the corporation. Current vehicles will be re-lettered to the legal name if rechassied or significant body work is done (repainting, repair, etc)

Agency Representative Signature

Date:

Printed Name