

**Mountain-Valley  
Emergency Medical Services Agency  
Board of Directors Meeting Minutes  
April 14, 2010**

Location: Amador County Board of Supervisors Chambers  
Jackson, California

Time: 10:00 a.m.

Board Members Present: Louis Boitano - Amador County; Jim Allen - Mariposa County;  
Gary Tofanelli - Calaveras County; Terry Woodrow - Alpine  
County

Board Members Absent: Jim DeMartini - Stanislaus County

Guests: Al Lennox, Colleen Tracy, Alan McNany, Brian Dickson, David  
Baugher, Don Campbell, Barry Hurd, Joe Butler, Bryan Santos,  
Keith Cantrell

Staff: Steve Andriese - Executive Director; Marilyn Smith - Response  
and Transport Coordinator; Tina Casias - Executive Secretary;  
Tom Morton - QI Coordinator; Richard Murdock - Interim Deputy  
Director

**A. Call to Order**

The meeting was called to order at 10:01 a.m. by Chairperson Louis Boitano.

**B. Welcome and Introductions**

The Chair welcomed those present. Individual introductions were made.

**C. Correspondence**

Mr. Andriese reported receiving notification from the Mariposa County Clerk of the Board regarding the 2010 appointments of Supervisor Jim Allen as the MVEMSA Board member, and Supervisor Janet Bibby as the alternate. In addition, Charles Mosher will continue serving as an alternate.

**D. Additions/Deletions, Corrections to Agenda**

Mr. Andriese stated that he wished to add an emergency item to the agenda. The emergency item is regarding an Administrative Law Judge agreement in order to comply with recent State of California Statutes.

M/S/C (Woodrow/Allen) To approve the agenda as amended to include emergency item F1

**Vote:** Unanimous

**Motion Passed**

**Let the record show that Supervisor Gary Tofanelli arrived at 10:05 a.m.**

**E. Public Forum**

There were no comments from the public.

**F. Approval of Consent Calendar**

M/S/C (Woodrow/Allen) To approve the Consent Calendar as submitted

**Vote:** Unanimous

**Motion Passed**

**F1. Emergency Item - Administrative Law Judge Agreement**

Mr. Andriese informed members that the new EMT State of California regulations are effective on July 1, 2010. The new regs state that any disciplinary action against an EMT will now be heard before an Administrative Law Judge. Agency staff finally received a copy of the agreement, and the agreement indicates that the Agency will be charged for time spent to hear the case. The agreement states that "costs shall be computed in accordance with the rates set forth in the Department of General Services Price Book". In their cover letter they cited the current hourly rate as \$187.00 plus a \$66.00 filing fee per case. Part of the additional fees for certification that will be charged to the EMT's at the State Level, will go into a fund to reimburse EMS Agencies for this cost. There is no guarantee, however, that all Agency costs will be covered. It will depend on how many disciplinary actions there are in a years time, and how much is available in that fund.

Also, an attorney familiar with Administrative Law will be required to handle these cases before an Administrative Law Judge. These attorney fees will be an additional cost to the Agency.

Agency staff is asking for approval for the Executive Director to be able to sign agreement.

M/S/C (Tofanelli/Allen) To approve Executive Director to sign agreement

**Vote:** Unanimous

**Motion Passed**

**G. Approval of Proposed Agency Fee Schedule for Credit Card/Debit Card Usage**

With the added complexity of EMT certification and paramedic authorization, the Agency has been trying to streamline the application process. The Agency has not had the ability, in the past, to have certification fees paid by a debit/credit card transaction. The Agency now has the capability to offer EMT's, Paramedic's, etc., the ability to make payment by debit or credit card transactions. The Agency is proposing a 4% fee for usage of a credit card, and a \$.75 flat fee for debit card usage.

The Agency would also like to eliminate a certification processing fee previously shown on the Fee Schedule, but never used.

In addition, the Agency would also like to amend the Fee Schedule to add a 'Returned Check Fee' for \$20.00 for all returned checks.

Another issue that has been voiced by some volunteers in Mariposa County is one concerning volunteer EMT certification fees. They are requesting that the EMT volunteer certification fees be waived, because of the new cost of State EMT fees.

Staff at the MVEMS Agency polled the LEMSA's throughout California, and created a spreadsheet with the data. Mr. Andriese asked Board members to refer to the spreadsheet in the packet.

Mr. Andriese stated that the last three times the Agency increased the fee schedules, the certification fees and volunteer fees have not been increased. The current fees for certification are way below Agency cost to provide this service. The poll indicates what the other EMS Agencies are currently charging, and also indicates what their proposed fees will be subsequent to July 1<sup>st</sup>, once the State changes go into effect. With these changes the EMS Agencies will incur additional costs.

Mr. Andriese expressed his concern if the certification fees for volunteers were at a lower rate or if they were waived. He explained that the Agency certifies EMT's and volunteers from outside the region. They can go to any EMS Agency and be certified. Ultimately, the Agency would experience reduced revenues. The Agency charges \$30.00. The poll indicates that the fees for most agencies will be increasing. At this point in time, the Agency was not even recovering their costs at the \$30.00 rate. Therefore, the Agency recommendation was that the fees not be changed, which was the consensus of the Board.

**M/S/C (Allen/Woodrow)** To approve new revised schedule

**Vote:** Unanimous

**Motion Passed**

**H. EMS Data System Upgrade**

Staff member Tom Morton reminded Board members of discussions at the February 2010 meeting in which a proposal was presented from a vendor the Agency had been working with to replace the outdated unsupported EPSIS Data System.

Based on guidance from the Board and staff input, the vendor was asked to revise the initial project. This updated project has changed from a county-based cost structure to an overall PCR-volume cost structure in order to be more responsive to the dynamics of the California EMS Agency environment. The initial cost to create the IT infrastructure is substantially reduced; the options for providers to input data have been amended with adjusted pricing; and, future scalability to allow interfacing with county-specific CADs and Hospital-specific ED Information Systems with associated costs have been further clarified. The costs are based on an initial ePCR volume ceiling of 250,000 records annually. EMSA has earmarked funding for a portion of the costs involved in the initial set-up of the CEMSIS Data Collection project for MVEMSA. Confirmation of the specific amount is pending, estimated at approximately \$18,000, leaving \$17,050 as MVEMSA's first year cost.

Agency staff recommended moving ahead with the vendor to implement the Regional Data Repository initial configuration.

**M/S/C (Tofanelli/Woodrow)** To approve \$23,000.00 be released from the budget for this project

**Vote:** Unanimous

**Motion Passed**

**Let the record show that Chairman Boitano called for a break in the proceedings at 10:35 a.m.**

**Let the record show that the meeting was called to order at 10:50 a.m.**

**I. Approval of Calaveras County Ambulance Provider Agreements**

Mr. Andriese explained that the Agency is bringing before them is ambulance provider agreements with American Legion Ambulance and Ebbetts Pass Fire District. The agreements are for the period of July 1, 2010 through June 30, 2015. As part of the process, Agency staff worked with the provider agencies; held a public hearing; met with the Calaveras County Medical Services Oversight Committee; and presented the agreements to the Calaveras County Board of Supervisors. During the process, there were three major issues discussed and agreed upon: (1) To encourage public/private partnerships between the ambulance services and the fire departments; (2) Response times; and (3) Rates or Tier Levels.

A detailed presentation was given explaining how the three tier rate formula is calculated. Any rate increase beyond the formula must go before the Calaveras County Board of Supervisors for their approval.

Supervisor Tofanelli thanked all parties involved for pulling together to work out these agreements.

The Agency was recommending approval of these agreements.

**M/S/C** (Tofanelli/Woodrow) To approve ambulance provider agreements

**Vote:** Unanimous

**Motion Passed**

**J. State Guidelines on Term of Exclusive Operating Area (EOA) Contracts**

Mr. Andriese explained that this agenda item was for informational purposes. He explained that this subject originally came up at the Calaveras County Board of Supervisors meeting. At this meeting there was some discussion regarding what was happening at the State level regarding EOA's (Exclusive Operating Areas) for ambulance services within the State.

Concern was voiced that new guidelines were being introduced that would be used to determine whether or not a local EMS Agency can establish an EOA. These guidelines include some language indicating that if an Agency chooses to go out to bid for an EOA, then they would be limited to a ten year period for that exclusive contract. The Agency and the State Administrators Association have definite concerns with this limitation.

The current statute allows for the development of EOA's , and states that 'a local EMS Agency that elects to create one or more EOA's, in the development of a local plan, shall develop and submit for approval to the Authority as part of the EMS Plan, its competitive process for selecting providers, and determination of the scope of their operations. This plan shall include provisions for a competitive process held at periodic intervals.'

Mr. Andriese explained that the Agency interprets this to mean that at the local level, depending upon the need, local resources, and circumstances, would determine how long this exclusive contract would continue. Their determination would be submitted to the EMS Authority within the EMS Plan, and must include a justification. This would be approved along with the rest of the plan. The current draft guidelines state that approval will not exceed 10 years.

There has been language added in the guidelines for special circumstances. However, the MVEMS Agency and the State Administrators Association feel that the EMS Authority does not have the right to limit EOA's to ten years when the statute says 'at a periodic level, and the development should take place at the local level.'

This ten year limitation creates a problem for the EMS Agency because no two counties within the State are exactly the same. For example, a large metropolitan county such as Los Angeles, would have plenty of resources and call volume compared to EOA's from Calaveras County. The need is to go longer with the exclusive contracts because of the time and money invested by providers, as well as, associated litigation. Ambulance contracts have higher instances of litigation than any other exclusive contracts that counties enter into.

The Agency would like to see the Boards of Supervisors, when giving the Agency direction to go out for EOA's, make the determination at their level how long EOA's should last, and not be limited to the ten year period.

Mr. Andriese informed the Board that he has approached the President of the EMS Administrators Association (EMSAAC) asking that a letter on this issue be sent to both CSAC and RCRC asking for their support during this public comment period. Two letters have been drafted, and are currently being reviewed by the EMSAAC legislative committee.

**K. Update on the Stanislaus County Action by the Board of Supervisors Regarding MVEMSA Contract Termination**

Mr. Andriese stated that at the last Board meeting he was directed to meet with some members of the Stanislaus County Board of Supervisors regarding this issue. Three staff members (Steve Andriese, Marilyn Smith, Richard Murdock) met with Supervisors Grover and O'Brien concerning the reasons behind Stanislaus County's possible withdrawal.

The Supervisors indicated that their big concern is that they feel they contribute the most money to the region, yet have the same voice as the rest of the counties. Mr. Andriese informed them that this issue has never been brought before the MVEMSA Board of Directors for discussion or resolution.

Mr. Andriese informed Board members that Stanislaus County has contracted with Nancy LaPolla, the Administrator of San Diego County EMS. Her objectives were to take a look at the options available to them, and come back to the County with a recommendation. The list of options given to her for consideration were: (1) The County would administer their own EMS Agency under the Public Health Department; (2) Maintain the current JPA, but have proportional voting; (3) Form a new Three-County region with San Joaquin and Merced Counties; (4) Stay in current JPA with no change; (5) The County would become the local EMS Agency under the Public Health Department, and contract with the other Mountain Counties.

The Consultant is expected to submit her report by June 2010. Mr. Andriese anticipates that the County will make their final decision by the end of fiscal year, which is June 30, 2010.

Chairman Boitano voiced concern that there needed to be direct communication, and so far there has been none. There were other comments made by the Board members regarding Supervisor DeMartini's frequent absences at Board meetings, and if the concern is representation, then the frequent absences do not make sense.

After much discussion, direction was given to staff to contact the county consultant and advise her of the Board's willingness to be available to speak with her as part of her investigation.

**L. Agency and County Reports**

There were no reports.

**M. Next Scheduled Meeting June 9, 2010. Location to be determined.**

Meeting will be held at 10:00 a.m. June 9, 2010 in the Mariposa County Board of Supervisors Chambers.

**N. Adjournment**

The meeting was adjourned at 11:40 a.m.

**M/S/C** (Allen/Woodrow) To adjourn the meeting

**Vote:** Unanimous

**Motion passed**