

**Mountain-Valley  
Emergency Medical Services Agency  
Board of Directors Meeting Minutes  
October 22, 2008**

Location: Amador County Board of Supervisors Chambers  
Jackson, California

Time: 10:00 a.m.

Board Members Present: Louis Boitano – Amador County; Bill Claudino – Calaveras County; Jim DeMartini – Stanislaus County; Terry Woodrow – Alpine County

Board Members Absent: Brad Aborn – Mariposa County

Guests: Sarah Gordon, Dennis Webb, Darin Kram, Colleen Tracy, Alan McNany, Barry Hurd, Keith Cantrell, Jason Robitaille, Don Campbell, Ray Leverett, Al Lennox

Staff: Steve Andriese – Executive Director; Jim Worobe – Deputy Director; Tina Casias – Executive Secretary; Marilyn Smith – Response & Transport Coordinator; Linda Diaz – Trauma Coordinator

**A. Call to Order**

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

**B. Welcome and Introductions**

Board members introduced themselves (i.e. Supervisor Claudino, Supervisor Woodrow, Supervisor Boitano). Guests were subsequently asked to introduce themselves.

**C. Correspondence**

No correspondence had been received by the Agency.

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

M/S/C (Woodrow/Claudino) To approve agenda as submitted

**Vote** – Unanimous

**E. Public Forum**

There were no comments from the public.

**F. Approval of Consent Calendar**

M/S/C (Claudino/Woodrow) To approve consent calendar as presented

**Vote** – Unanimous

*Let the record show that Supervisor Jim DeMartini arrived at the meeting at 10:07 a.m.*

**G. Approval of Amador County ALA Ambulance Provider Agreement**

Marilyn Smith informed Committee members of a change, submitted with the packet, to the Amador County American Legion Ambulance Provider Agreement. Section 6.8 of the agreement listed the County of Amador as the official registered owner of all American Legion Ambulance vehicles. She explained that after a review by the Amador County Counsel, and a subsequent meeting with American Legion Ambulance, an agreement was reached to remove Section 6.8 from the document.

A signed agreement with American Legion Ambulance was received in which Section 6.8 was deleted. Once the Board of Director's have approved the document, it will be sent on to the Amador County Board of Supervisor's for approval. The agreement was for an extension of five years.

American Legion Ambulance was found to be 'in compliance' with their contractual obligations, and MVEMS Agency staff requested approval by the Board.

**M/S/C (Woodrow/Claudino) To approve ALA Ambulance provider agreement with the deletion of section 6.8**

**Vote:** Unanimous

**H. Approval of the Adoption of NIMS as the Agency Emergency Plan**

Marilyn Smith explained to Board members that because of mandates issued by the Federal Government, and passed down to emergency responders, public entities, school districts, mosquito abatement districts, etc., each entity is responsible for adopting NIMS (National Incident Management System) as their official disaster plan. The adoption of the resolution, and the adoption of a subsequent policy to be brought before Board members at a later meeting, will require pre-hospital personnel to attend certain classes in the Incident Command System in order to enable them to better prepare to respond to scenes of emergencies. The completion of these classes is directly tied to the ability to receive/not receive future funding grants.

**M/S/C (Claudino/Woodrow) To approve resolution adopting NIMS as the Agency emergency plan**

**Vote:** Unanimous

**I. Approval of the Pro-Transport ALS Provider Agreement**

Marilyn Smith explained that an agreement with Pro Transport has been submitted for approval to provide emergency ambulance service in Zone C of Stanislaus County. Zone C is a non-exclusive ambulance zone, and has been since 1981. Zone C is currently receiving ambulance service from Hughson Ambulance. Due to its status as a non-exclusive zone, other providers are entitled to apply to provide service within the zone.

Ms. Smith explained that Agency Staff has reviewed the application submitted by ProTransport, and has determined that they meet all of the requirements of the Stanislaus County Ambulance Ordinance, as well as, MVEMS Agency policy to serve as an ambulance provider within the County. The Stanislaus County Emergency Medical Services Committee approved their application at their June 12, 2008 meeting.

Ms. Smith went on to explain that since there will be two ambulance providers servicing Zone C, dispatch agencies will rotate calls between both ambulance providers. Posting assignments will also be rotated between both ambulance companies. ProTransport will be included in the System Status Plan, and provide mutual aid throughout Stanislaus County on an as-needed-basis.

Ms. Smith explained that she has developed a press release to let interested parties know that a new ambulance service will be available in the County of Stanislaus. She went on to say that in accordance with MVEMS Agency policy, staff must provide Board members prior notification of any press release. Ms. Smith asked Board members for their approval to submit the press release.

Ms. Smith informed Board members of the Agency Staff recommendation to approve the contract agreement with ProTransport 1.

Supervisor Louis Boitano, chairperson, asked if there were any questions.

Stanislaus County Supervisor Jim DeMartini pointed out that the City of Hughson was the smallest city in Stanislaus County with a population of about 7,000 to 8,000. Through his own investigations, he determined that there is not enough business for more than one ambulance company, and felt it didn't make sense to have a second ambulance company.

Steve Andriese responded by advising Board members that MVEMS Agency staff were in agreement with all of Supervisor DeMartini's statements. Mr. Andriese explained that from a system standpoint it does not make sense to have two ambulance companies providing service in one of the smallest call volume zones within Stanislaus County.

However, he related, the law states that if an exclusive zone has not been established, any non-exclusive zone is open to any provider who wants to provide service in that area as long as that provider meets the minimum requirements. ProTransport meets those minimum requirements, and, therefore, the MVEMS Agency cannot refuse them.

Supervisor Jim DeMartini asked Mr. Andriese if ProTransport had been in the emergency services arena prior to this, or if this would be 'on-the-job' training.

Mr. Andriese responded by saying that ProTransport has not provided ALS service in the past. They have only been a BLS service provider up to this point.

Marilyn Smith interjected adding that all of ProTransport's personnel would be required, as all other providers, to be licensed paramedics in the State of California, and would be accredited by the local EMS Agency as meeting the minimum standards for ALS providers.

Supervisor DeMartini remarked that it made no sense to approve ProTransport to provide services for Zone C. He stated emphatically that they would not make any money, and that he did not like the idea at all. He also reminded everyone that there is already an ambulance company in that zone that has been providing service for over twenty years. He stated that he felt ProTransport 'ought to look for another County to set up shop in'.

Marilyn Smith interjected adding that many of the discussions with ProTransport concerned the fact that this was not an economically feasible proposition. She eluded to the fact that in order for a provider to be awarded a contract as an ALS provider, they must get in on the 'ground floor' someplace. This will provide ProTransport that opportunity.

Supervisor DeMartini questioned ProTransports' motives as to why a business would knowingly do something that is not economically feasible.

Chairperson Louis Boitano asked if ProTransport had any comments.

Craig Robbins of ProTransport defended their reasoning behind their decision, and felt it unfair to suddenly challenge their efforts a year after they submitted their original application. He stated that he could not understand how Supervisor DeMartini could object to their application.

Supervisor DeMartini stated that he objects to it because there is already an ambulance company providing services in the Zone C area that's been serving the area for 20 years, and there is hardly enough business to keep it going. So he is very suspicious as to why they are willing to provide services where they will definitely lose money. He also said, "There is not enough business for two ambulance companies. I don't know what your motives are, but I wish you'd go back to where you came from, and stay out of Stanislaus County. I'm sure not going to support this."

Supervisor DeMartini asked if ProTransport was given the contract, would they be required to stay for a certain length of time?

Marilyn Smith responded saying that if approved the contract would be for a five year period. The ambulance contract does contain an 'out' clause. She stated that Hughson Ambulance had recently exercised this type of option when they had decided to pull out of the Waterford area after serving in that area for many years.

Mr. Andriese interjected stating that the 'real fix' to this issue, in the long term, would be to look at Stanislaus County in terms of the non-exclusive areas. Within a county, these areas of non-exclusivity become a potential problem. If, in fact, a specific zone is non-

exclusive, then, by law there is no legal recourse but to allow potential providers access to the system based on Sherman Anti-trust laws as long as they meet the minimum criteria. The long term 'fix' to this issue would be to work with the Stanislaus County Board of Supervisors to look at the possibility of 'going out to bid' for those areas that are currently non-exclusive. However, this will be a long involved process.

**M/S/C (Claudino/Woodrow) To approve the Pro-Transport 1 ALS provider agreement**

**Vote:** 3 Yea (Claudio, Woodrow, Boitano)  
1 Nay (DeMartini)

**Motion passed.**

Marilyn Smith asked Chairperson Boitano if the Board will allow her to act on the press Release referred to earlier.

Chairperson Boitano replied that he did not have any problems with that.

**J. Approval of the Cooperopolis Fire ALS Renewal Agreement**

Marilyn Smith explained that Board members had before them a copy of an agreement with Copperopolis Fire for renewal of ALS services for another six year period. Ms. Smith emphasized that there have been no questionable issues to report on, and all of their contractual obligations have been met. Agency staff recommended approval of the agreement.

**M/S/C (Claudino/Woodrow) To approve the ALS renewal agreement with Copperopolis Fire for a six year period**

**Vote:** Unanimous

**K. Proposal to Address the Current MVEMS Agency Budget Deficit**

Mr. Andriese reported that at the June 2008 Board meeting, Board members asked that Staff return with a proposal on the options available to the Agency in order to maintain fiscal structure for the foreseeable future.

Mr. Andriese proceeded with his presentation outlining the Agency funding proposal for the following categories: 1)State General Fund Augmentation; 2)Agency Fee Schedule revisions; 3)Adoption of annual ground ambulance provider fees; 4)Increase to the annual County contributions.

Following his presentation, Agency recommendations were made to Board members:

1) Recommendation #1-State Augmentation

To continue Agency efforts to pursue State augmentation funding with a goal amount of \$250,000

- 2) Recommendation #2-Revised Fee Schedule  
To adopt a revised EMS Agency fee schedule with the target revenue at \$18,000 based on 2007/2008 data estimates.
- 3) Recommendation #3-Ambulance provider fees  
Eliminate the current Stanislaus County ambulance fees of \$39,500, and establish a region wide ground ambulance service provider fee, to cover the cost of EMS administrative service, of \$4.50 per emergency call and \$2.00 per non-emergency call.
- 4) Recommendation #4-County contributions  
Increase the annual base per capita for county contributions from \$.41 to \$.44 per capita. There has not been an increase prior to this since 1981. An estimated \$18,000 would be generated.

If these recommendations are adopted the following is the proposed implementation schedule:

- 1) Recommendation #1-State Augmentation  
Ongoing target goal of 2010/2011
- 2) Recommendation #2-Revised Fee Schedule  
Effective 30 days following approval
- 3) Recommendation #3-Revised Ambulance Fees  
Effective July 2009
- 4) Recommendation #4-County Contributions Increase  
Effective July 2009

In summary Mr. Andriese explained that the foregoing recommendations would help generate approximately \$316,000 in revenue. Currently, he explained, the Agency has a preliminary budget deficit of \$200,000. The actual revenue realized, with an increase of \$316,000 in local funding, is \$109,000, taking into account the \$200,000 deficit, so to speak.

Chairperson Boitano asked if there were any public comments addressing this issue.

The Public Health Director, Colleen Tracy, of the Calaveras County Public Health Department, asked to address the Board in representation of Jeanne Boyce. The general concern, she reported, was that the proposal went beyond restoring a current \$207,000 operating deficit. It provided an expansion in staffing, and an initial \$500,000. There was insufficient local data; insufficient description of actual staff duties; and no additional public benefit or local system benefit could be derived from the additional staffing. Ms. Tracy claimed the proposal did not provide the level of understanding needed to support the proposed expanded staffing.

Ms. Tracy stated that of particular concern was the proposed expansion to the Disaster Coordinating staff to 2.2 FTE, moving from 1 Disaster Coordinator to 2 fulltime Disaster Coordinators.

Ms. Tracy also questioned why the reserve funds were not addressed. It was felt that even with the implementation of the proposed fees in the next fiscal year, it appeared that there would still be an operating deficit.

A local meeting in Calaveras County was requested, without Agency objection, to discuss all unresolved issues, before the Agency proceeds any further.

Ms Tracy summarized by saying that the proposal lacked a description of specific services associated with the additional funding, and the additional staff. As a result, there was a lack of understanding as to the public benefit. The cost of the provider fees will be passed on to the public; not all are paid for by insurance. They would like to understand the services associated with the expanded staffing, and what benefit to the public.

Barry Hurd of Patterson District Ambulance addressed the Board on the issue of proposed ambulance fees. He felt that if this projected \$4.50 fee were approved, his ambulance company would have to charge \$25.00, due to the numerous transports paid for by MediCare and MediCal, and unpaid transports, from which a fee cannot be charged. He felt the Counties should be paying additional per capita fees for their constituents, beyond what has been proposed, rather than these service fees being passed on to the ambulance companies.

Chairman Louis Boitano addressed Steve Andriese asking him to refine the proposal, and meet with Calaveras County representatives on their concerns.

Steve Andriese responded stating the proposal would be revised to reflect the change in how the ambulance fees will be charged. They will be charged on a 'per transport' basis rather than a 'per call' basis. The revised proposal will be available for the next Board meeting. The Agency plan is to hold a 'Public Hearing', immediately prior to the regular meeting, to allow for public comments.

Supervisor Bill Claudino wished to make a few comments before moving on to the next agenda item. He stated that the directive of the Board was to move ahead, and he is in full agreement. He wished to thank Colleen Tracy for eloquently and thoroughly stating the concerns of the Health Services Agency of Calaveras County. He also stated that Steve Andriese and Staff have agreed to meet with Calaveras County to address their concerns, however, after they meet, he expects to see the results of their concerns reflected in the revised proposal.

*Chairperson Louis Boitano informed Board members and guests that Agenda Item # M-2007 Stanislaus County Trauma Report would precede Agenda Item # L-Approval of the HPP Disaster Grant for LEMSA Half Time Staff Position.*

**M. 2007 Stanislaus County Trauma Report**

Steve Andriese informed Board members that this Agenda Item was titled the '2007 Stanislaus County Trauma Report' in error, explaining that this particular report is for the entire Region. Mr. Andriese introduced the Agency Trauma Coordinator, Linda Diaz, who would conduct a presentation on the report.

She began by providing Board members with some background information. She stated that in 2004, the Agency designated two hospitals as Level II Trauma Centers. They were Memorial Medical Center of Modesto, and Doctors Medical Center of Modesto. Both

Centers have worked diligently, in conjunction with the EMS Agency to obtain ‘American College of Surgeons’ verification. They are expected to have those verifications by the end of the year.

Linda Diaz continued with her presentation, referring to several areas in the report. Upon completion of her presentation, there were no questions from Board members.

Steve Andriese praised Linda Diaz and Dr. Kevin Mackey on their excellent work in the Trauma Care arena.

**M/S/C (Woodrow Claudino)** To accept report for the Region

**Vote:** Unanimous

**L. Approval of the HPP Disaster Grant for a LEMSA Half Time Staff Position**

Mr. Andriese began by explaining to members that one of the funding options not addressed in the *Agency Budget Deficit Proposal* was ‘special projects’. ‘Special projects’ usually include very specific objectives that must be met; and, also, these projects do not allow for the supplantation of existing staff.

This particular funding grant, he explained, is a ‘special project’ specifically designed for ‘hospital preparedness’, and is administered by the California Department of Public Health. The State EMS Authority approached the Department of Public Health saying that since the LEMSAs’ are responsible for a large portion of the planning and implementation of disaster plans in their area, they would like to designate some of the funds allotted to ‘hospital preparedness’ to the LEMSAs for planning purposes.

An amount was included in the grant that would cover a half time staff position for each local EMS Agency in the State of California. The multi-county regions received a percentage of the grant amount in each of the County grants awarded to each of the counties. The next step was to get one County to agree to accept the funds so it is administered only once. This type of funding grant does not include any administrative overhead. If five separate grants needed to be administered, the excessive administrative overhead would eliminate the worthiness of the grant. All of the counties in the MVEMSA region were in agreement to allow Stanislaus County to administer the funds.

The objectives of this grant are to assess the EMS preparedness by the local EMS Agency; to assess ambulance service response and emergency department response; and to develop the tools for this assessment.

The Agency staff is asking that the Executive Director be allowed to sign an agreement with an entity or entities to accumulate these funds, and to begin the project as soon as possible. Any agreements signed by the Executive Director will be brought back to the Board of Director’s for ratification.

**M/S/C (Claudino/Woodrow)** To allow the Executive Director to sign the necessary contracts associated with the project and necessary personnel to ensure no delays in meeting the timelines.

**Vote:** Unanimous

**L. Agency and County Reports**

Stanislaus County – Supervisor Jim DeMartini will be taking the funding deficit proposal up with the County CAO. He stated that there is an obvious problem, but he is concerned with the ambulance companies and who actually will be paying the bill.

Amador County – Supervisor Bill Claudino had nothing to report.

Alpine County – Supervisor Terry Woodrow had nothing to report.

Calaveras County – Supervisor Louis Boitano had nothing to report.

Agency – Executive Director Steve Andriese had nothing more to report.

**M. Next Scheduled Meeting**

The next scheduled meeting was for December 10, 2008. The place where the meeting will be held had not yet been determined.

**N. Ajournment**

The meeting was adjourned by Chairperson Louis Boitano at 11:37 a.m.