



County of Del Norte  
Board of Supervisors  
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**AGENDA DATE: July 26, 2022**

**TO:** Del Norte County Board of Supervisors

**FROM:** Darrin Short, Supervisor District 1  
Valerie Starkey, Supervisor District 2

**SUBJECT:** Ad Hoc committee findings

**RECOMMENDATION FOR BOARD ACTION:** Review and discuss findings from Ad Hoc committee review of Del Norte Ambulance.

**SUMMARY:**

Del Norte Ambulance (DNA) has requested that they be granted the ability to be the exclusive provider of emergency medical services in Del Norte County. An Exclusive Operating Area (EOA) can be granted in one of two ways; through a "grandfathering" process, whereby the Local Emergency Medical Services Authority (LEMSA) determines that the company has been in operation and has provided the same level of service since 1981; or an EOA can be granted through a competitive process. DNA made this request to North Coast Emergency Medical Services (NCEMS) which is the LEMSAs for Del Norte County, and they have determined that DNA is eligible for being granted an EOA through the "grandfathering" process. Although NCEMS could move forward with granting this exclusivity without the Board of Supervisor's input, they are requesting direction from the Board.

On March 8, 2022, the Board of Supervisors passed Resolution 2022-017 establishing an Ad Hoc committee comprised of Supervisor Short and Supervisor Starkey, with the objective that information be gathered in relation to Del Norte Ambulance's performance, the service needs of the Del Norte Community, and other possible options in order that the Board of Supervisors could use that information to make a well informed decision.

Specific directive to the Ad Hoc included that the committee investigate, evaluate, and make recommendations to the Board of Supervisors regarding the following assessment criteria; (1) the performance of Del Norte Ambulance, (2) the level of ambulance services needed in the County, (3) the advisability of establishing an EOA, and (4) whether the County would be better served by pursuing a competitive process for establishing an EOA.

During the course of this outreach, stakeholders from Sutter Coast Hospital, Crescent City Fire & Rescue, Fort Dick, Klamath and Gasquet Fire Protection Districts, California Highway Patrol, Crescent City Police Department, the County Department of Health and Human Services (DHHS) Adult Protection Services and the Behavioral Health Branch, NCEMS, as well as people suggested by DNA, such as Elk Valley Rancheria Chairman Dale Miller, former OES Manager Kymmie Scott, Del Norte High School Principal Alison Eckart, and two frequent users of DNA's wheelchair service.

## **DISCUSSION:**

For the ease of reporting, the committee felt it best to divide the groups into three categories: First Responders, Public Service Providers, and private citizens. Each group was asked questions pertinent to their scope of services. The questions were submitted to the Ad Hoc committee by DNA and some were created by the Ad Hoc committee. Below you will find a summary of their responses as they pertained to the four categories identified in the establishment of the Ad Hoc committee.

In addition to the three groups, Larry Karsteadt, the Executive Director of NCEMS, provided answers to some very specific questions, again some provided by DNA and some created by the Ad Hoc committee.

## **FIRST RESPONDERS:**

Crescent City Fire and Rescue representatives were interviewed on April 6, 2022. Those present included (now retired) Fire Chief Bill Gillespie and Battalion Chief James Weiland. Prior to the interview time, Division Chief Ryan Wakefield provided written answers to the questions presented.

Fort Dick Fire Protection District, Gasquet Fire Protection District, and Klamath Fire Protection District were interviewed on April 11, 2022. Those present included Fort Dick Fire Chief Randy Crawford, Klamath Fire District Chief Lonnie Levi, and Gasquet Fire District Chief Nick Karonopoulous. Smith River Fire Protection District was invited to but opted not to participate.

Law enforcement interviews with California Highway Patrol and Crescent City Police Department were conducted on April 11, 2022 and Commander Depee and Chief Griffin were present. Del Norte County Sheriff's Department personnel were not available to be interviewed.

### **1. Performance of Del Norte Ambulance -**

The majority of stakeholders in the category are firefighters who have had direct contact with DNA on a regular basis. Not surprisingly, given their day to day interactions with DNA and their staff, this group was the most critical of DNA.

Their complaints ranged from Del Norte Ambulance not using sterile bandages, wherein gauze is re-packaged into a "sandwich baggie," the disheveled appearance of some EMTs or paramedics, to "not moving with purpose," referring to a call involving a non-responsive two-year-old in which the fire department, who was across town on another call, got there sooner than the ambulance. Response times, failure to replace equipment or supplies, and lack of professionalism by DNA staff appeared to top the list of complaints. The stakeholders making

the complaints were able to follow up each criticism with a specific example to support their claim. These stories included times when EMTs responding to the scene provided inaccurate information, refused to cooperate with the other responders on the scene, or not following the Incident Command System.

When asked about the performance of DNA, most of the fire personnel stated; “adequate” or “average” with one or two saying “less than average” or “horrible.” One fire Chief said it best: “On the field side there are some good people....conscientious folks who are trying...but they need to do some work to get better and I think placing certain staff on a PIP [Performance Improvement Plan] to get individual performance up could go a long way.”

The law enforcement officers interviewed had less criticism of DNA and instead, found DNA and their staff to be responsive and respectable. They have a “great working relationship” and they appreciate their assistance on CPR courses as well as their community engagement with programs they sponsor; such as Shop with a Hero, or other community events in order to make sure the medical side of the event is covered. According to Commander Depee; whose agency is charged with a yearly Ambulance Inspection Report, DNA has been in compliance for the six years he has been conducting these inspections. Chief of Police, Richard Griffin, has appreciated their training in administering Narcan, a service he found to be invaluable.

## 2. **The level of ambulance services needed in the County:**

Again, just based on the level of interactions with the first responders, the fire departments were the most outspoken and critical of the level of services provided by DNA. Fire Departments stated that ambulances responding often did not have the right personnel, noting that when a “rig appears with two EMT’s, and all they can do is chest compressions [because the ambulance does not have paramedics on board], this isn’t serving the community.” This was a common complaint amongst this group: not sending the right personnel to the scene of a call, but instead, sending a BLS [Basic Life Support - at least one EMT but no paramedic] “rig” when an ALS [Advanced Life Support - includes a paramedic] “rig” was needed. Some of the group went on to say that DNA occasionally would project their frustration about not having the right personnel [ALS vs. BLS] onto the consumer and, once, blamed an elderly woman for not “calling in her husband's conditions correctly.”

Fire Departments expressed concerns that long distance transfers would take one of “their ALS Ambulances out of the area and they don’t staff up another unit to take its place.” The suggestion following this complaint was that DNA needed to “upstaff the unit.” According to most of the Fire Departments, DNA does not notify them of their staffing shortages, which has led to firefighters faced with the tough decision on whether to load a patient into a fire department vehicle and take them to the hospital themselves when response times lag; which, they note, would be a violation of their own policies. But many firefighters grapple with taking a risk “of getting in trouble just so the patient can get treatment as soon as possible.”

Rural responses was another complaint, noting that DNA has a policy in which their vehicles cannot be taken off road, which presents a problem to areas such as Klamath and Gasquet, where there are times when services are needed on non-county maintained roads. Suggestions have included asking DNA to provide four wheel drive vehicles. Nearly every Fire Department requested that more units be provided in the outlying areas of Del Norte County. As stated above, the law enforcement personnel interviewed reported favorably to this section. Commander Depee stated he has never been on scene with DNA where they did not have the equipment they needed to administer safe medical treatment. In fact, Chief Griffin stated he had a personal medical experience when a BLS unit showed up, personnel quickly assessed the need for an ALS, which also responded quickly. He credits his life being saved to the personnel who responded.

However, Commander Depee indicated it is hard to really comment on the level of services, as he faces similar issues with staffing at the CHP. Just like the CHP, there are occasions when response times are longer than they would like to see. He agrees that a better “back up” plan for when an ambulance is out of the area on a transport would be prudent. He recalled one time when a 5150 patient needed to be admitted to a facility in Berkeley within a short period of time or the patient would lose his bedspace. The Commander transported the patient himself because an ambulance was not available before the deadline. As such, having some backfill plan for a third unit would be a welcomed addition to their contract. Chief Griffin concurred that staffing for first responders can be hit or miss. Some nights you have too many bodies and the next night, even with the same level of staffing, you could have used 4-5 more officers.

### **3. The advisability of establishing an EOA:**

A few of the first responders felt that any sort of Exclusive Operation Area agreement would be similar to a monopoly, which would not be advisable to the consumer. One chief said that DNA has been around for 30 years and if another ambulance company wanted to open a business in Del Norte County, they could have already done so, meaning that DNA is essentially operating as an EOA already. Commander Depee summarized, “The CHP supports patients and victims so they get the best possible care. We don’t understand the intricacies of an EOA, but we believe DNA is capable and provides a good service for our community.” Commander Depee further commended “Ron for trying to further his company. They [DNA] do a good job and I appreciate them.”

Retired Chief Gillespie stated that “With an EOA there is a criteria the company has to maintain. I question if DNA is meeting that criteria now?” He proposed, “As of right now, I would not be comfortable with giving an endorsement to DNA but, if over the next two years, that criteria is met and maintained, it could serve as a trial period to make sure the community is not getting mediocre service. [DNA] is not quite there yet.”

### **4. Whether the county would be better served by pursuing a competitive process for establishing an EOA:**

While the first responder group had varying opinions about whether or not any Exclusive Operation Area agreement was appropriate, most felt it should go to a competitive bid process and not be grandfathered in. Some stated; "If there are other people out there who are interested, why are we not entertaining the other options?" Most of the fire departments were previously informed that DNA was planning on making the EOA request and felt that DNA making this move was simply to make the company more valuable before it was sold. The non-fire fighter stakeholders felt they needed more information before being able to make an educated recommendation. Most felt there were too many variables for them to draw a conclusion.

### **PUBLIC SERVICE PROVIDERS:**

Lenora Wallace of Adult Protective Services was interviewed on April 11, 2022. Crystal Nielson was invited to the interview; however, she was out of the office and not able to attend.

The Behavioral Health Branch representatives were interviewed on April 11, 2022. Shiann Hogan, the program director at Behavioral Health and Chris Starets-Foote, the interim director of the Department of Health and Human Services (DHHS) attended the interview.

Sutter Hospital also falls under this category. Wayne Bunn, the former Transportation Coordinator and Ellie Popadic, the Director of Ambulatory Services, Strategy, and Business Development, were interviewed on April 14, 2022. Hospital Administrator, Mitch Hanna provided his responses via email on May 3, 2022.

#### **1. Performance of DNA:**

Nearly every stakeholder in this group found the performance of DNA to be reliable, professional, and responsive. For Behavioral Health, there had been a few incidents "here and there" in which DNA was not able to complete an after-hour transport, or for instance, not willing to transport an "unsafe" client. But when those issues arise, DNA has been quick to respond and remedy the incidents. When they have run into problems with "unprofessional behavior" by either agency (DHHS or DNA), administration quickly calls one another and they work out the issues quickly.

A constant theme in this group of stakeholders was the need for DNA Administration to make sure their EMTs and paramedics are aware of the agreements between the agencies and for these EMT's to ask questions before making statements that they will not follow requests.

#### **2. The level of ambulance services needed in the County:**

One stakeholder commented that transports to psychiatric facilities have increased significantly in the past year and DHHS would like to see an increase in transportation vehicles; but, as stated above, the need for services is never consistent, noting that "some quarters we may have six total transports and some months we have fourteen."

The hospital, although they are not directly impacted by ambulance response times, stated they had not heard patients complain they have had to wait too long before an ambulance arrived. Staff felt the level of services was sufficient but would like all ambulances to be ALS and they would like more training for new staff as to what the protocol is for transporting patients to outside services. In one instance, a staff member argued with the retired transport coordinator and “refused” to take a patient. Mr. Bunn called Charles Tweed “right then and there” and got the miscommunication resolved. The staff felt that more orientation and training with the operations of the hospital and the agreements previously entered into could solve any service concerns presented.

### **3. The advisability of establishing an EOA**

As with the first responder group; the public service providers felt that “competition is good.” When looking for services; however, some acknowledged that in a community this small, competition is not financially viable, and impedes a second ambulance service from entering into the market. Most stated that there were benefits and risks to establishing an EOA. The benefits would be the stricter criteria necessary to maintain the EOA. Should that EOA be granted to DNA, they would then need to enter into a new agreement in which elevated services and expectations could be factored into the contract. The onus of responsibility to meet those performance standards would be on DNA or they would risk losing the EOA. The risks, of course, would be creating a monopoly for these services.

Mitch Hanna, Sutter Coast Hospital’s Administrator, stated as long as DNA had the “bandwidth to handle that volume of transports without adversely impacting the other services they provide,” an EOA may be appropriate.

### **4. Whether the county would be better served by pursuing a competitive process for establishing an EOA.**

As noted above, this group felt “competition is a good thing”. They did not expand upon this topic in great detail.

## **PRIVATE CITIZENS:**

On May 3, 2022, the former Office of Emergency Services (OES) Manager, Kymmie Scott was interviewed. Alison Eckart, the Principal at Del Norte High School, responded to the questions by email on May 10, 2022. An interview with Elk Valley Rancheria Chairman Dale Miller occurred on May 13, 2022.

Two names were provided to the committee to interview regarding wheelchair services. The committee acknowledged the wheelchair service is a valuable service that DNA provides.

**1. Performance of DNA:**

The high school principal has always appreciated their willingness to plan out the schedule “months ahead” of time to coordinate with whichever sporting event is taking place. The other people who were in this group stated they found the performance of DNA to be reliable, professional, and responsive.

Kymmie Scott, found DNA to be “very responsive” and “collaborative.” She reflected on the past several years, with the Covid pandemic, and stated that when “you asked DNA for support, they were there.”

**2. The level of ambulance services needed in the County:**

This group had little to provide in the way of an assessment as to the level of service needed in the County. However, Kymmie Scott stated that she was happy with the level of service she experienced as the OES director.

**3. The advisability of establishing an EOA:**

This group expressed some sentiment that was similar to others in that the idea of a monopoly may not be a good idea. But some were satisfied that DNA would provide a good service if they were granted an EOA.

**4. Whether the county would be better served by pursuing a competitive process for establishing an EOA:**

As was stated by others that were interviewed, some feel that competition might be the best for the people of the county. Others were not sure. Specifically; Kimmie Scott said she was not prepared to give an opinion on this question because she did not know enough about the ramifications of this process on the county.

**NORTH COAST EMS:**

Larry Karsteadt, the Executive Director at NCEMS, along with Pam Mather, a contractor for NCEMS, was interviewed on May 3, 2022. They were asked the following specific questions. Mr. Karsteadt provided the written responses as well, which he stated were a collaboration of himself, Pam Mather, and Kayce Hurd, an employee of NCEMS.

**1. Has Del Norte Ambulance had any significant complaints or been under any corrective action plan?**

There have been cases over the years which have been resolved except for one currently awaiting resolution. No corrective action plans have been assigned by NCEMS, although we certainly have provided recommendations. It is also our understanding DNA does have remediation for their employees, but the specifics should come from there.

2. **Has DNA been responsive when issues have arisen?**

Del Norte is very responsive to any requests from NCEMS.

3. **Del Norte Ambulance states it has been a leader in bringing new equipment, medications and techniques to North Coast EMS. Is that a true statement?**

Yes, it is. DNA representatives, especially Ron Sandler, routinely bring new equipment and practice suggestions to NCEMS, and/or the Medical Advisory Committee. [The medical Advisory Committee is a collaboration of medical providers in Humboldt and Del Norte Counties.] The latter is the appropriate forum for such topics.

4. **Has Del Norte Ambulance met its contractual obligations to Del Norte County?**

Although NCEMS does have access to copies of contracts between DNA and DN County, as they were included in their EOA application packet, this question seems more appropriate for DN County representatives. However; one item from the Contract that had been brought to NCEMS' attention was chute times. ["Chute times" is a vernacular that describes the response times from ambulance personnel from the time the call is received to the time the ambulance actually responds to the call.] This has since been confirmed by the reporter, that this issue has improved.

5. **In a news article, John Pritchett stated that the county's taxpayers already pay for oversight through the North Coast EMS joint powers authority. How is oversight accomplished through NCEMS?**

NCEMS revenue is primarily from the State General Fund, the Maddy Fund, fees and local funds. Overall quality improvement oversight of any approved ALS provider agency by NCEMS is accomplished several ways. Examples include: NCEMS' ALS provider and Sutter Coast Hospital's Base Hospital approval processes, EMS training and Continuing Education Unit program approval, EMT certification, paramedic accreditation, approval of Quality Improvement Plans (QIP), periodic review of QIP reports with focused reviews, preparation of the Regional QIP Plan and Annual Plan. There is also confidential review of cases, periodic review of Patient Care Records, disclosure protected case review at Trauma Advisory or other committees, etc. Also, if we grant exclusivity to any agency, via grandfathering or competitive bid, additional publicly vetted criteria, such as chute times, response times, review of the dispatch processes, disaster participation, etc., can be included.

6. **In the same news article, Mr. Pritchett was quoted as saying: "If Del Norte Ambulance didn't have an EOA, the county would have to put the contract for 911 EMS service out to bid every few years and have to pay between \$75,000 and \$200,000 each time it came up for renewal." Can you explain the competitive process as it relates to the EOA?**

If a competitive or non-competitive process is decided upon, NCEMS would need to write a Transportation Plan ultimately approved by our JPA and the State Emergency Medical Services Authority (EMSA). If the direction is for the competitive bid process, this would

require the creation and distribution of a Request for Proposals (RFP) for the specified emergency services approved by the State EMSA. The RFP process would be best served by the assistance of an experienced Contractor because NCEMS has no history of performing this process before. NCEMS has obtained preliminary information from Santa Barbara EMS who provided us with a chart evaluating RFP process amounts in California. The mean average was \$156,000. NCEMS has conducted groundwork discussions with one contractor; Endpoint EMS, who reports a competitive EOA for a county the size of Del Norte, could cost less than this average. Once a provider is selected following the competitive RFP process, steps taken towards negotiating a first contract would follow.

Commonly, first contracts are 5 years in duration. [There are no provisions as to when a review of the contract would be conducted unless it is written into the EOA.] If exclusivity was granted, via grandfathering or competitive bid, exclusivity can be withdrawn through due process for cause. Also, ongoing compliance with contractual requirements could result in contract continuation or renew rather than another bid.

*Committee note: The reason for the 5 year duration for the first contract is for the safety of the County, in that if the service provider did not live up to expectations the County would have a relatively short period of time until the contract ended and a change in service could be made.*

7. **In the annual update that DNA gave the Board of Supervisors last year (2021), in regard to their change to dispatching services to Bay Cities out of Coos Bay, OR, they stated; “North Coast EMS will continue its oversight of the program and will in fact give final approval of the dispatch plan.” Can you expand on how NCEMS has given oversight to the program, and what does the final approval of the dispatch look like?**

NCEMS does not have authority in Oregon so we cannot officially “approve” that EMD [Emergency Medical Dispatching] program. However; we do have a history of collaboration especially in the case of what serves our rural communities in the best way. For example; Sutter Coast’s Trauma Center designation is a cooperative effort we conduct with Oregon’s Statewide Trauma System. As long as the center is EMD approved in Oregon; which is an upgrade, we endorse the use of EMD and any issues with this new program for Del Norte County will follow a similar pathway of review like any issue related to programs, policies, practice or personnel. We could also request information from DNA regarding EMD program oversight in Oregon to ensure that the program meets national standards, perhaps as part of the EOA process.

## **CONCLUSION:**

This committee attempted to bring as much information to the Board of Supervisors as possible so the Board would be able to make the most informed decision. NCEMS will come before the Board with their request for the direction the County is most in favor of as it relates moving forward with the EOA process.

The Board decision will be based on 3 different options:

1. Do nothing and continue emergency medical service in the same manner and scope as we are currently receiving.
2. Ask NCEMS to proceed with the "grandfathering" process which is the easiest process for NCEMS and will grant exclusivity to DNA for Advanced Life Support and Limited Advanced Life Support 911 services in all of Del Norte County. This will not grant exclusivity for interfacility transports, nor will it affect Basic Life Support 911 services.
3. Ask NCEMS to proceed with the competitive process. This is more costly and is a more laborious process than "grandfathering." This process will open the possibility of exclusive operation of 911 medical services to outside providers if they so wish to enter the competitive process.

*Committee note: In order to find out if there would be any ambulance services that would participate in the competitive process, Supervisor Short and NCEMS asked for letters of interest from service providers in the region. Four ambulance service providers (including DNA) gave a non-binding response that they would be interested in submitting proposals for service in Del Norte County.*

Upon the formation of this Ad Hoc committee, Board direction was that the Ad Hoc committee provide a recommendation. Due to the complexity of this process, the committee had a difficult time making a recommendation as to which path to take without first hearing from the public and directly from Del Norte Ambulance. As such, a recommendation as to which of the three choices, or an alternative choice, could not be made at this time.

Darrin Short  
Supervisor, District 1

Valerie Starkey  
Supervisor, District 2

OTHER AGENCY INVOLVEMENT:

SIGNATURE REQUIRED:

ADMINISTRATIVE SIGN-OFF:

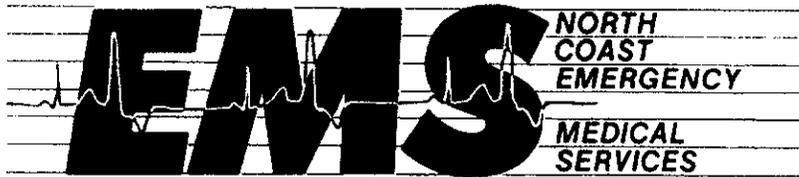
AUDITOR:

COUNTY ADMINISTRATIVE OFFICER: Neal Lopez

COUNTY COUNSEL: Joel Campbell

PERSONNEL:

OTHER DEPARTMENT:



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## MEMORANDUM

**DATE:** PLEASE COMPLETE

**TO:** Del Norte County Board of Supervisors

**FROM:** Larry Karsteadt, Executive Director; Pam Mather, EOA/QI Contractor

**RE:** **Del Norte Ambulance Inc. Request for Exclusive Operating Area Agreement**

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### INTRODUCTION:

In October of 2020, North Coast EMS received an application from Del Norte Ambulance Inc. requesting an Exclusive Operating Area (EOA) agreement. North Coast EMS completed their review and subsequent verification of eligibility in August of 2021. It was concluded that Del Norte Ambulance Inc. meets the requirements to be granted a non-competitive EOA if that is the direction of this Board.

There are three options for consideration: 1) maintain the current agreement with Del Norte Ambulance Inc. 2) conduct a competitive request for proposal (RFP) process, 3) enter into a non-competitive EOA contract in accordance with state law.

### BACKGROUND:

The creation of an EOA in the State of California is defined in the Health and Safety Code Section 1797.224. It states "A local EMS agency (LEMSA) may create one or more exclusive operating areas in the development of a local plan, if a competitive process is utilized to select the provider or providers of the services pursuant to the plan. No competitive process is required if the local EMS agency develops or implements a local plan that continues the use of existing providers operating within a local EMS area in the manner and scope in which the services have been provided without interruption since January 1, 1981." Del Norte Ambulance Inc. meets the requirements since they provided ambulance service in the same manner and scope without interruption prior to January 1, 1981, qualifying them for the non-competitive "grandfathering" provision.

H & S Code 1797.224 also states a local EMS agency which elects to create one or more exclusive operating areas in the development of a local plan shall submit the transportation plan to the State EMS Authority (EMSA) for approval, as part of the local EMS plan. If a competitive process is utilized to select a provider, the plan shall include provisions for a competitive process to be held at periodic intervals. An exclusive operating area or franchise replaces marketplace competition with government regulation. Limiting competition can violate federal antitrust laws so granting of a franchise must follow statutory requirements in order to qualify for the "state action immunity." California regulation

allows a LEMSA to grant EOAs to ambulance providers that qualify under a “grandfather” provision that have provided service in the same scope and manner without interruption since 1981. Otherwise, the LEMSA must use an open, competitive process to select the provider. In 2020, EMSA provided an overview on the status of EOAs in California. At that time, 33 LEMSAs oversaw 301 provider agencies with 57% maintaining EOA contracts (134 “grandfathered” or non-competitive; 39 obtained through competitive process).

## HISTORY:

In October of 2021, North Coast EMS Joint Powers Agency Governing Board reviewed and accepted in concept a Resolution recommending North Coast EMS pursue the development and implementation of a countywide emergency ambulance service exclusive operating area for Del Norte Ambulance Inc. in Del Norte County if the Del Norte County Board of Supervisors support moving forward with this concept.

## DISCUSSION:

North Coast EMS has had preliminary discussions with Del Norte County Supervisors Short and Starkey who identified the need to present the three options outlined in Attachment A, to the Board of Supervisors for consideration. Additionally, Supervisors Short and Starkey met with Del Norte County stakeholders in order to obtain additional information which they will report separately.

In brief, the three options available for Del Norte County are:

- Status quo
- Competitive EOA
- Non-Competitive “Grandfathered” EOA

The primary advantage of selecting an exclusive provider is that it can help to ensure a stable ambulance service meeting the community’s needs. Additional benefits, whether Competitive or Non-Competitive, will include increased transparency of business, contractually agreed upon standards, oversight, and quality of care metrics. Any ambulance provider authorized to provide ambulance service under a new contract will be held accountable for their performance through a contract with North Coast EMS. Contractual goals would include clinical and operational standards, maximum allowable charges, coordinated countywide ambulance disaster response within the disaster planning and response structure, quarterly reporting on identified performance criteria, and quality improvement programs.

North Coast EMS is asking for direction from the Board on their preferred method to ensure ambulance services are provided in Del Norte County. North Coast EMS follows a collaborative process reviewing state statute and regulations, receiving direction from NCEMS’ Joint Powers Authority Governing Board, the County’s Board of Supervisors, and EMS Plan approval by the State EMS Authority. These steps culminate in a contractual agreement between North Coast EMS and an ambulance provider agency.

North Coast EMS respectfully submits this information for the Del Norte County Board of Supervisors in preparation for their endorsement. Furthermore, please do not hesitate to contact our office should you need any additional information or documents concerning this request.

# Attachment A - Exclusive Operating Area Agreement Options

STATUS QUO	COMPETITIVE (RFP)	NON-COMPETITIVE (GRANDFATHERING)
<p>Continued Contractual Agreement between Del Norte County Board of Supervisors and Del Norte Ambulance Inc.</p> <p>Continued North Coast EMS service which provides:</p> <ul style="list-style-type: none"> <li>• Quality improvement oversight of approved ALS Agency.</li> <li>• ALS Provider and Sutter-Coast Hospital's Base Hospital approval process.</li> <li>• EMS training and CEU program approval.</li> <li>• EMT certification.</li> <li>• Paramedic accreditation.</li> <li>• Approval of QIP Plans.</li> <li>• Periodic review of QIP reports with focused reviews.</li> <li>• Preparation of the Regional QIP Plan and Annual Plan Update.</li> <li>• Confidential review of cases.</li> <li>• Periodic review of Patient Care Records.</li> <li>• Disclosure protected case review at TAC or other committees.</li> </ul>	<p>Through an RFP process, that identifies minimum qualifications and experience, scope of work, insurance requirements and security bond. A modern comprehensive contractual agreement between North Coast EMS and the successful proposer will include the following negotiated items:</p> <ul style="list-style-type: none"> <li>• Response Time Standards</li> <li>• Dispatch/Communications Requirements</li> <li>• Service Area Coverage and Surge Plan</li> <li>• Equipment and Supplies</li> <li>• Disaster Preparedness</li> <li>• System Committee Participation</li> <li>• Community Education/Prevention</li> <li>• Training Programs</li> <li>• Staffing Standards</li> <li>• Safety and Infection Control</li> <li>• Continuous Quality Improvement Program</li> <li>• Clinical Performance Standards</li> <li>• Data System Hardware and Software</li> <li>• Adherence to North Coast Medical Control Policies</li> <li>• Audits and Inspections</li> <li>• Annual Financial Reporting</li> <li>• Participation in NCEMS Meetings</li> <li>• Oversight Meetings</li> <li>• Reporting Responsibilities</li> <li>• Liquidated Damage Assessments</li> <li>• Termination for Cause</li> <li>• Declaration of Major Breach; Takeover/Replacement</li> <li>• Dispute and Takeover language</li> </ul>	<p>Contractual Agreement between North Coast EMS and Del Norte Ambulance Inc. with the following negotiated items:</p> <ul style="list-style-type: none"> <li>• Response Time Standards</li> <li>• Dispatch/Communications Requirements</li> <li>• Service Area Coverage Plan Compliance</li> <li>• Equipment and Supplies</li> <li>• Disaster Preparedness</li> <li>• System Committee Participation</li> <li>• Community Education/Prevention</li> <li>• Training Programs</li> <li>• Staffing Standards</li> <li>• Safety and Infection Control</li> <li>• Continuous Quality Improvement Program</li> <li>• Clinical Performance Standards</li> <li>• Data System Hardware and Software</li> <li>• Adherence to North Coast Medical Control Policies</li> <li>• Audits and Inspections</li> <li>• Annual Financial Reporting</li> <li>• Participation in NCEMS Meetings</li> <li>• Oversight Meetings</li> <li>• Reporting Responsibilities</li> <li>• Liquidated Damages; Fees</li> <li>• Termination for Cause</li> <li>• Declaration of Major Breach; Takeover/Replacement</li> <li>• Dispute After Takeover/Replacement</li> </ul>

STATUS QUO	COMPETITIVE (RFP)	NON-COMPETITIVE (GRANDFATHERING)
<p>Cost – Determined by Del Norte County Board of Supervisors and Del Norte Ambulance Inc.</p>	<p>Cost - "Competitive EOA" will require an experienced Contractor to assist North Coast EMS in developing, coordinating, and preparing the Del Norte County (EOA) Transportation Plan. If Plan is approved by JPA Board and EMSA, Contractor will be needed to coordinate RFP process. A recent survey of 15 LEMSAs regarding costs for RFP process revealed a mean average of \$156,000 which resulted in 2 of the 15 LEMSAs selecting a new provider.</p> <p>Once a Competitive Process is utilized to establish the EOA, it is required by state law to be conducted at periodic interval.</p>	<p>Cost – Annual \$5,000 monitoring fee to be paid by Ambulance Provider. This fee will be used to supplement costs associated with development of Del Norte County (EOA) Transportation Plan through development of contract.</p>
<p>Term of Contract – Per Del Norte County Board of Supervisors and Del Norte Ambulance Inc.</p>	<p>Term of Contract - Negotiated, but typically initial contract five (5) years plus an additional 5 years based on contractor performance for a total of 10 years.</p>	<p>Term of Contract - Negotiated, but typically initial contract five (5) years plus an additional 5 years based on contractor performance for a total of 10 years.</p>

BOARD OF SUPERVISORS, COUNTY OF DEL NORTE, STATE OF CALIFORNIA  
Certified copy of portion of proceedings; Meeting on \_\_\_\_\_, 2022

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF DEL NORTE RECOMMENDING THAT NORTH COAST EMERGENCY MEDICAL SERVICES PURSUE THE DEVELOPMENT AND IMPLEMENTATION OF A COUNTYWIDE EMERGENCY AMBULANCE SERVICE EXCLUSIVE OPERATING AREA FOR DEL NORTE AMBULANCE IN DEL NORTE COUNTY

WHEREAS, Del Norte County has designated North Coast Emergency Medical Services (“North Coast EMS”) as its local emergency medical services agency, pursuant to Health & Safety Code section 1797.200 and as set forth in the “Authorization of North Coast Emergency Medical Services as the ‘Local EMS Agency’ and Authorization of Powers Pursuant Thereto,” as amended on \_\_\_\_\_; and

WHEREAS, pursuant to Health & Safety Code sections 1797.85 and 1797.224, North Coast EMS has the authority to develop one or more exclusive operating areas (EOA) for ambulance services in Del Norte County, upon the recommendation of the County, which will restrict emergency ambulance operations (i.e., LALS and ALS ground, not including Interfacility Transport) to one ambulance service, via a Non-competitive (grandfathered) or Competitive Bid pathway; and

WHEREAS, on October 28, 2021, North Coast EMS conducted a noticed meeting before the Joint Powers Agency Governing Board wherein it received input from members of the public and relevant stakeholders, including representatives from local hospitals and ambulance service providers, regarding the process to development and implementation of an exclusive operating area for ambulance services in Del Norte County; and

WHEREAS, the Joint Powers Agency Governing Board has accepted proposed North Coast EMS language identifying the Type of Service: Emergency ambulance and Level of Service: Limited Advanced Life Support [LALS]) and Advanced Life Support [ALS] 9-1-1 (ground), exclusive of Interfacility Transport and the North Coast EMS plan to pursue development and implementation of an exclusive operating area in Del Norte County; and

WHEREAS, on \_\_\_\_\_, 2022, the Del Norte County Board of Supervisors conducted a noticed meeting to receive and consider testimony and public comment regarding the utility of an exclusive operating area for ambulance services in Del Norte County, and concluded that it is in the best interests of the County that North Coast EMS develop and implement one or more exclusive operating areas for ambulance services as specified above to promote and ensure the public health, safety, and welfare of the residents of the County;

THEREFORE, BE IT RESOLVED:

1. The foregoing recitals are true and correct.
2. The Del Norte County Board of Supervisors recommends that North Coast EMS, to the extent authorized in the Health & Safety Code, pursue the development and implementation of countywide exclusive operating area for one ambulance service in Del Norte County.

3. The Del Norte County Board of Supervisors further specifies that North Coast EMS pursue development a Non-competitive Bid EOA pathway.

\_\_\_\_\_  
Chair, Del Norte County Board of Supervisors

Adopted on motion by \_\_\_\_\_, second by \_\_\_\_\_ and the following vote:

AYES: Supervisors:

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:

STATE OF CALIFORNIA )  
County of Del Norte ) SS.  
)

I, \_\_\_\_\_, Clerk of the Board of Supervisors of the County of Del Norte, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above titled matter by said Board of Supervisors at a meeting held in Crescent City, California as the same now appears of record in my office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

\_\_\_\_\_  
Clerk of the Board of Supervisors  
of the County of Del Norte, State of  
California

By: \_\_\_\_\_

Date: \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF DEL NORTE, STATE OF CALIFORNIA  
Certified copy of portion of proceedings; Meeting on \_\_\_\_\_, 2022

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF DEL NORTE RECOMMENDING THAT NORTH COAST EMERGENCY MEDICAL SERVICES PURSUE THE DEVELOPMENT AND IMPLEMENTATION OF A COUNTYWIDE EMERGENCY AMBULANCE SERVICE EXCLUSIVE OPERATING AREA FOR DEL NORTE AMBULANCE IN DEL NORTE COUNTY

WHEREAS, Del Norte County has designated North Coast Emergency Medical Services (“North Coast EMS”) as its local emergency medical services agency, pursuant to Health & Safety Code section 1797.200 and as set forth in the “Authorization of North Coast Emergency Medical Services as the ‘Local EMS Agency’ and Authorization of Powers Pursuant Thereto,” as amended on \_\_\_\_\_; and

WHEREAS, pursuant to Health & Safety Code sections 1797.85 and 1797.224, North Coast EMS has the authority to develop one or more exclusive operating areas (EOA) for ambulance services in Del Norte County, upon the recommendation of the County, which will restrict emergency ambulance operations (i.e., LALS and ALS ground, not including Interfacility Transport) to one ambulance service, via a Non-competitive (grandfathered) or Competitive Bid pathway; and

WHEREAS, on October 28, 2021, North Coast EMS conducted a noticed meeting before the Joint Powers Agency Governing Board wherein it received input from members of the public and relevant stakeholders, including representatives from local hospitals and ambulance service providers, regarding the process to development and implementation of an exclusive operating area for ambulance services in Del Norte County; and

WHEREAS, the Joint Powers Agency Governing Board has accepted proposed North Coast EMS language identifying the Type of Service: Emergency ambulance and Level of Service: Limited Advanced Life Support [LALS]) and Advanced Life Support [ALS] 9-1-1 (ground), exclusive of Interfacility Transport and the North Coast EMS plan to pursue development and implementation of an exclusive operating area in Del Norte County; and

WHEREAS, on \_\_\_\_\_, 2022, the Del Norte County Board of Supervisors conducted a noticed meeting to receive and consider testimony and public comment regarding the utility of an exclusive operating area for ambulance services in Del Norte County, and concluded that it is in the best interests of the County that North Coast EMS develop and implement one or more exclusive operating areas for ambulance services as specified above to promote and ensure the public health, safety, and welfare of the residents of the County;

THEREFORE, BE IT RESOLVED:

1. The foregoing recitals are true and correct.
2. The Del Norte County Board of Supervisors recommends that North Coast EMS, to the extent authorized in the Health & Safety Code, pursue the development and implementation of countywide exclusive operating area for one ambulance service in Del Norte County.

3. The Del Norte County Board of Supervisors further specifies that North Coast EMS pursue development of a Competitive Bid EOA pathway.

\_\_\_\_\_  
Chair, Del Norte County Board of Supervisors

Adopted on motion by \_\_\_\_\_, second by \_\_\_\_\_ and the following vote:

AYES: Supervisors:

NAYS: Supervisors:

ABSENT: Supervisors:

ABSTAIN: Supervisors:

STATE OF CALIFORNIA )  
County of Del Norte ) SS.  
)

I, \_\_\_\_\_, Clerk of the Board of Supervisors of the County of Del Norte, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above titled matter by said Board of Supervisors at a meeting held in Crescent City, California as the same now appears of record in my office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

\_\_\_\_\_  
Clerk of the Board of Supervisors  
of the County of Del Norte, State of  
California

By: \_\_\_\_\_

Date: \_\_\_\_\_