

de la Guerra, Sheila

Public Comment



#8

From: Sanders, Mike <Mike.Sanders@gmr.net>
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Attachments: 4.3.23 Letter to Santa Barbara Board of Supevisors.pdf

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Please see the attached public comment, item 8 on the 4/4 agenda; 23-00363.

Thank you

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VIA EMAIL ONLY

April 3, 2023

Board of Supervisors
County of Santa Barbara
105 E Anapamu Street, Suite 407
Santa Barbara, CA 93101

Re: Santa Barbara County Department of Health Request for Procurement (RFP 8010001)

Honorable Members of the Board of Supervisors –

On behalf of American Medical Response (“AMR”), thank you for the opportunity to participate in the ambulance Request for Procurement (“RFP”). To date, the County and County staff have run a methodical and equitable process free of external influences.

Notably, the process included an extremely reputable consultant to assist in administering the RFP, stakeholder involvement in the RFP, a bidders conference to ask questions, and an independent expert review panel of five to score proposals. The process also included the ability of a losing bidder to protest and allowed a losing bidder to file an appeal of the denial of a protest. This process was designed to comply with California’s Emergency Medical Services System and the Pre-Hospital Emergency Medical Care Personnel Act (“EMS Act”). The EMS Act requires this process in order to ensure objectivity and independence from external influences so that the best possible provider for this life-saving service is selected. The EMS Act affords the County certain privileges and immunities when the process is followed.

At each step in this RFP process, we were judged the winner. The score we were awarded (322.75 points higher than the Fire District) validates the value of our work, our innovative ideas, proposed investments into the community, our integration throughout the County and our legacy of over 50 years of service to the County. Very recently, we learned that certain external parties through public relations campaigns and websites want to disregard the process and transition to an unregulated environment. These external parties are now advocating for a non-exclusive EMS system under a proposed ordinance that would give the Fire District and other providers rights to calls.

Respectfully, we believe this external advocacy for a non-exclusive system is problematic for two reasons: (i) operationally it is not in the best interests of the County system and patients; and (ii) this may run afoul of the State of California’s comprehensive EMS Act.

Regarding the operational concerns caused by non-exclusivity, we believe the best EMS systems have a single exclusive provider for accountability, reliability, safety, innovation, financial sustainability, and economies of scale. Diluting an EMS system with multiple providers (potentially more than just AMR and the Fire District) competing for the same calls does not advance these principles and destabilizes the system. Throwing out the RFP process and moving to a non-exclusive ordinance we believe degrades the level of EMS service to the citizens and visitors. The competition for calls in a non-exclusive system potentially puts at risk lower income and vulnerable community members, rural areas and non-emergency services. Additionally, providers in a non-exclusive system may be able to charge whatever rates they want and respond in whatever times they want.

The County may not be able to address these operational issues without running contrary to the EMS Act and legal precedent. In the absence of grandfathered exclusive operating areas, the EMS Act is proscriptive on what a County may do where it does not run a competitive RFP. For example, we strongly believe the EMS Act would be contravened if the County throws out the RFP and utilizes an ordinance to give all requests for care exclusively to a specific provider. We would need to defer to legal counsel on this legal point, but I do not believe the EMS would permit the County to establish an exclusive arrangement without following the requirements of the EMS Act.

In summary and, respectfully, we request that the County continue with the well-thought out and methodical process the RFP has followed to date. We are ready, willing and able to improve on the great system that exists today through the innovations set forth in our proposal. We desire to continue our years of service and excellence to the County and its citizens. Again, thank you for the opportunity to participate in the RFP.

Sincerely,

AMERICAN MEDICAL RESPONSE



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