



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Health
Department No.: 041
For Agenda Of: September 19, 2023
Placement: Departmental
Estimated Time: 2.25 Hours
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Mouhanad Hammami, MD, Director
Director(s) Public Health Department 805-681-5115
Contact Info: Nick Clay, EMS Agency Director
805-681-5394

SUBJECT: Ambulance Permit Application Review and Decision

County Counsel Concurrence

As to form: Select_Concurrence Yes

Other Concurrence:

Auditor-Controller Concurrence

As to form:

Recommended Actions:

That the Board of Supervisors consider the following recommendations:

- a) Receive and file the Ambulance Provider Permit applications received by the Local Emergency Medical Services Agency (LEMSA) and the Permit Officer's assessment of each applicants' satisfaction of the minimum qualification requirements;
- b) Make the required findings for each permit applicant as required in County Code Chapter 5, Section 5-7(A) for:
 - i) Provider Permit Type – Emergency Medical Call;
 - ii) Provider Permit Type – IFT and Special Event Stand By;
 - iii) Provider Permit Type – CCT;
- c) Approve, approve with conditions, or deny the following permits for the Santa Barbara County Fire Department:
 - i) Provider Permit Type – Emergency Medical Call;
 - ii) Provider Permit Type – IFT and Special Event Stand By;
 - iii) Provider Permit Type – CCT
- d) Approve, approve with conditions, or deny the following permit for American Medical Response:
 - i) Provider Permit Type – Emergency Medical Call; and
- e) Determine that the proposed actions do not constitute a “Project” within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b) of the CEQA Guidelines, because they consist of governmental fiscal, organizational, and administrative activities, which

do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

Summary:

This item is to provide your Board with Ambulance Provider Permit applications that were received by the Local Emergency Medical Services Agency (LEMSA) pursuant to Santa Barbara County Ordinance Chapter 5 – Ambulances. Two applications (Attachments A & B) were received, one from the Santa Barbara County Fire Department (SBCoFD) and one from American Medical Response (AMR). SBCoFD applied for an Emergency Medical Call Permit, IFT and Special Event Standby Permit, and a CCT Permit; AMR applied for an Emergency Medical Call Permit. LEMSA, through the Permit Officer, has reviewed and assessed the minimum qualifications for the two applicants, as set forth in Section 5-6 of the Ambulance Ordinance, and found that both meet the minimum requirements for the permits requested.

For initial permit applicants (prior to March 1, 2024), once the Permit Officer assesses the minimum qualifications, applications are presented to the Board for final review and consideration of minimum qualifications and additional criteria. The Board will then make findings and take action to approve, approve with conditions or deny the permit(s) requested by each applicant. Upon Board approval, LEMSA will proceed with negotiating Provider Agreements as set forth in Sections 5-17 and 5-18 of the Ambulance Ordinance.

Background:

On June 6, 2023, your Board approved the replacement of Santa Barbara County Ordinance Chapter 5 - Ambulances (Attachment C), which was heard for a second time on June 20, 2023 and took effect on July 20, 2023. This replacement ordinance established a process to issue permits for a non-exclusive ambulance system.

There are three (3) different permit types:

1) **Emergency Medical Calls (i.e., 9-1-1):** “Emergency Medical Service Call” means condition or situation in which an individual has a need for immediate medical attention, or where the potential for such need is perceived by emergency medical personnel or a public safety agency.

2) **Interfacility Transports (IFT) and Special Event Standby:**

- “Inter-Facility Transportation” or “IFT” means any patient transport, after initial assessment from or to a licensed care facility as defined by the California Department of Public Health. Can include, but not limited to: hospital to hospital; clinic to hospital; hospital to home; home to dialysis care; hospital to long-term care; transport of mentally disordered persons.
- “Special Event Stand By” means any situation where a previously announced event places a grouping or gathering of people in one general locale sufficient in number that has the potential to exceed the normal and routine capacity of the EMS system, or subject to activity that creates the need to have one or more ambulances at the site, or such similar event where an ambulance (ALS or BLS) is requested, or any such similar event where ALS non-transport resources are requested.

3) **Critical Care Transport (CCT, i.e. nurse transports):** “Critical Care Transport” or “CCT” means the transport of a critical care patient between medical facilities where it has been determined by the patient's treating physician that such transport requires medical supervision by advanced life support providers (registered nurse or critical care paramedic) with critical care training or experience.

Permit applicants can apply for both advanced life support (ALS) and basic life support (BLS) levels of care within permit types for Emergency Medical Calls and IFT. This allows for tiered response in the 9-1-1 system, ensuring the right resource is dispatched to the right patient, while maximizing the resource availability for the IFT market. With the exception of Vandenberg Space Force Base and ambulance services authorized by and subject to the exclusive jurisdiction of federal, state, or tribal governments (such as the Santa Ynez Band of Chumash Indians) all permit types will provide services throughout the boundaries of Santa Barbara County, including New Cuyama.

Permitting Process To-Date

The ambulance permit application period was open from July 20, 2023 to August 10, 2023. Two applications were received, one from SBCoFD and one from AMR. SBCoFD applied for an Emergency Medical Call Permit, IFT and Special Event Standby Permit, and a CCT Permit; AMR applied for an Emergency Medical Call Permit.

Applicants were required to provide a minimum set of information (Attachments D & E):

- Provider demographics (organization type and structure)
- Physical ambulance details or purchase details
- Compliance with the County's indemnity terms
- Proof of liability insurance
- Affirmation the Permittee will comply with the ordinance and applicable laws
- Description the provider met the minimum qualifications
- Description the provider met the additional permit criteria

The minimum qualifications include:

- Demonstrable experience (or equivalency) providing the type of service applied for
- Demonstrable experience (or equivalency) in meeting response time requirements
- Documentation of plan to meet the proposed response time requirements
- Workforce planning description
- Clinical performance capacity
- Financial depth to launch and maintain an ambulance service

Each applicant also submitted Additional Criteria (Attachments F & G) to assist the Board in evaluating the permit applications as outlined in Section 5-7 Additional Criteria, of the Ambulance Ordinance:

- Applicant's experience, qualifications, and fitness to provide ambulance service
- Feasibility and economic viability of the applicant's proposed services are sustainable
- Applicant's proposal demonstrates a community benefit through innovative service delivery, local reinvestment, and timely integrated public safety response

The LEMSA Director serves as the Permit Officer that reviews and assesses the permit applications as to whether the applications meet minimum qualifications. To assist the Permit Officer with the review of the permit applications, the County hired a consultant, Health Strategists, to assist with the review and assessment. Health Strategists provided a review and assessment report to the Permit Officer (Attachment B & C). **The assessment found that both applicants meet or exceed the minimum qualifications for each permit type as outlined in Section 5-6 of the Ordinance.**

Discussion:

Permitting Process Next Steps

Pursuant to Section 5-9 of the Ordinance, the Board of Supervisors is the decision-maker on permit applications. To assist the Board in making this decision, applicants have provided supporting material for Additional Permit Criteria, as outlined in Section 5-7 of the Ordinance. When reviewing the Additional Permit Criteria, the Board will “consider the totality of the circumstances including public health, safety, welfare, convenience, and necessity, prior to approval.”

Section 5-7(A) indicates that the Board shall make the following findings:

- 1) The applicant’s experience, qualifications, and fitness to provide medical transportation services support approval;
- 2) The feasibility and economic viability of the applicant’s proposed services are sustainable as proposed;
- 3) The applicant’s proposal demonstrates a community benefit through innovative service delivery, local reinvestment and reasonably assures an integrated public safety response to time sensitive EMS needs.

Upon making these findings, the Board may then approve, approve with conditions, or deny the aforementioned permit applications.

Once applications have been approved and permittees identified, several departments will need to engage in contract negotiations. All permittees are required to have an agreement with the LEMSA and dispatch centers. Permittees will also be required to enter into first response agreements. The LEMSA will begin negotiating Provider Agreements as set forth in Sections 5-17 and 5-18 of the Ambulance Ordinance with the successful permittee(s) upon determination in order to have agreements in place prior to March 1, 2024.

Fiscal Impacts:

This item is administrative only with no budgetary action. The issuance of permits will result in negotiated cost recovery agreements with ambulance service provider(s) that charge the users of the service through fees.

Attachments:

Attachment A – Santa Barbara County Fire Department Permit Application ([hyperlink](#))

Attachment B – American Medical Response Permit Application ([hyperlink](#))

Attachment C – Santa Barbara County Ordinance Chapter 5 - Ambulances

Attachment D – Permit Officer’s Assessment of Santa Barbara County Fire Department’s Minimum Qualifications

Attachment E – Permit Officer’s Assessment of American Medical Response’s Minimum Qualifications

Attachment F – Santa Barbara County Fire Department’s Additional Criteria Submission

Attachment G – American Medical Response’s Additional Criteria Submission

Authored by:

Nick Clay, EMS Agency Director