



**NEW YORK STATE DEPARTMENT OF HEALTH
BUREAU OF EMERGENCY MEDICAL SERVICES
OPERATIONS UNIT**

TO: Mr. Chairman and the Systems Committee
FROM: Lee Burns
DATE: May 1, 2007
SUBJECT: Operations Unit Report

This represents a summary of activities the Operations Unit has been involved with since your last meeting. As you read through this report, please feel free to ask questions of the staff.

- **Appeals to Article 30 actions** - The appeal of the Hudson Mohawk REMSCO decision on the Northeast Advanced Life Support NEALS application for advanced life support - first response services was provided to the Bureau of Adjudication for review, findings of fact and a recommendation. We expect to receive the determination over the summer months. Once the bureau receives it, we will mail it to SEMSCO members. Please expect to hear this matter at the September meeting.
- **Stenographic Meeting Minutes** – Starting at the September meeting, any Systems Committee meeting in which statutory issues are heard and considered will be recorded by a stenographer. This has come as a result of a number of recent requests for detailed information regarding appeals to the SEMSCO.
- **Municipal CON Declarations** - The Department received a new municipal declaration for ambulance service from the Ellenburg Depot Fire Department in northern Clinton County. They have been working with the Department in an effort to become operational.
- **The City of Utica Conversion to Permanent Ambulance Operating Authority** - This is to advise the Systems Committee that the Department and the Midstate REMSCO have been named in legal action regarding this matter. The issue at hand appears to be whether or not Article 30 requires a municipality to go before the REMSCO and prove need at the end of the two year operating authority. It is the City of Utica's contention that there is no requirement in the law. However, it is the Department's position that it is clear in the law based on the following portion of Article 30, 3008 (7a)

...Upon such filing, such municipal advanced life support first responder service or municipal ambulance service shall be deemed to have satisfied any and all requirements for determination public need for the establishment of additional emergency medical services pursuant to this article for a period of two years following the date of such filing. Nothing in this article shall be deemed to exclude the municipal advanced life support first responder service or municipal ambulance service authorized to be established and operated pursuant to this article from complying with any other requirement or provision of this article or any other applicable provision of law

This matter is being handled by the Department's Office of House Counsel and the Attorney General's Office. We will keep the committee posted as this matter progresses.

- **Industrial BLS-FR Agency Code Numbers** – As you may recall, the Department has been removing the “industrial” BLS-FR services from our database. These are entities that are not publicly dispatched and are not and have never been eligible for training reimbursement under Article 30A. These were a total of 46 organizations in our database. All have been notified in writing. It is important to note that the tracking number (aka Agency Code) has never represented an authority to operate an EMS service. This is because there is no definition or authority provided under Article 30 of the Public Health Law. The Department understands that these response organizations are necessary and we encourage their continued operation as a BLS-FR. Further, it is recognized that they should be a Public Access Defibrillation site.
- **Patient Care Report (PCR) Issues** - There are two large and important items regarding PCRs related matters to bring to your attention.
 1. The keypunch contract extension has been approved and executed!
 2. There are PCRs in the warehouse!
- **The EMS Memorial** - As a reminder, the EMS Memorial induction will be held on May 23rd on the Empire State Plaza. In addition to the ceremony, the Bureau has been constructing a web page listing all of the honorees. We are also planning to include a few pictures of the memorial itself. If all goes well, it should be up on the public website in the next several weeks.
- **Committee Business by Teleconference** – Should there be a need to conduct Systems Committee business in the months before the September meeting, please notify the Bureau **well in advance** so that we may obtain the teleconference link and notify the participants. If there is insufficient lead time, the Bureau will not be able to schedule the call.

Have a great and safe summer!
See you all in September...