

JOURNAL OF COMMISSION WORK SESSIONS
October 16, 2007

City Commission Work Session

Mayor Dona Stebbins presiding

CALL TO ORDER: 5:15 P.M.

ROLL CALL: City Commissioners present: Mayor Stebbins, Bill Beecher, Sandy Hinz, Diane Jovick-Kuntz and John Rosenbaum. Also present were the City Manager, Assistant City Manager, Directors of Community Development, Planning and Public Works, the Acting Director of Park and Recreation, the Fire Chief, Acting Police Chief, City Attorney, and the City Clerk.

1. EMPLOYEE ORIENTATION

Human Resources Manager Linda Williams advised the Commission that 12 employees participated in the 31st employee orientation program October 16-17, 2007. Department heads introduced the following new employees:

Lisa Kunz, City Clerk
Jeff Schott, Police Department
Susan Campbell, Police Department
Kendra Henderson, Police Department
Amy Hesel, Police Department
Stacy Taylor, Police Department
Kevin Parisian, Public Works
Mike Kline, Public Works
Brandon Kerkes, Public Works
Jessie Damyanovich, Library
Bill Green, Park and Recreation

2. EMERGENCY MEDICAL SERVICES PROJECT

Ken Riddle, consultant with the Abaris Group, presented a power point slide show regarding the proposed EMS ordinance, and reviewed the 2006 findings. Commissioner Hinz inquired if the EMS System Administrator is going to be a new position or will it automatically be the Fire Chief. Mr. Riddle answered that the way the ordinance was written was to allow the City the flexibility to appoint an existing person, hire another person, or whatever the City desires. Commissioner Hinz added that this proposed ordinance seems meddling into the private sector, and she feels uncomfortable at setting the rates and looking into their financial information. Mr. Riddle stated that there is no intent to meddle with the private sector. It is allowing the City to provide guidelines of what it needs the private sector to do in regards to ambulance transport.

City Manager John Lawton clarified that the way this ordinance was recommended was that these pricing and records issues would only apply to calls that come through the City's 911

facilities. It would only be the emergency aspect of it that come through the 911 system, not hospital transfers, nursing home transfers, etc. Mr. Riddle stated that he would clarify that in the ordinance.

Mayor Stebbins stated that this ordinance seems over controlling on the part of the City and that the ambulance provider has been with the City for 14 years. Mayor Stebbins suggested that a meeting be held with the ambulance company and tweak the ordinance to make it fair to everybody.

Mr. Riddle stated that Great Falls is on the cutting edge. There are no other cities or communities in Montana that regulate or have ambulance contracts. The ordinance was crafted to allow the City, through grandfathering, to contract with the current provider, rather than have to go out for an RFP. In essence, the City has one provider who just happens to be two separate companies.

Commissioner Rosenbaum inquired why it is stated that the system administrator is authorized to establish rules, procedure and policies, and asked isn't that what the ordinance is. Mr. Riddle answered that when does the fire department transport has to be clearly defined. The City will need policies and procedures for a quality improvement program. Policies and procedures won't be in the ordinance because if a change needs to be made, it would have to come back to this body each time. Mr. Lawton stated that the contract does have to come back to the City Commission for approval.

Mr. Riddle explained a first responder fee is the City, through the Fire Department, charging a fee for their involvement in EMS. He added that currently there is no mechanism for recovering any funds for service and guessed it was provided as part of a tax. Taxes have not been raised in this community to provide EMS. The EMS is kind of an outgrowth of what the Fire Department has been doing all along. To offset operating costs, this ordinance will allow to charge a fee. This will be identified in a performance contract negotiated between the City and the ambulance provider.

Mr. Riddle explained the subscription program will allow the ambulance company to generate funds up front to purchase equipment and supplies and offset the operating budget over the years. He stated that it is a one time annual fee, either an individual fee or family fee, and allows the citizen to have all of their insurance and personal information on file with the ambulance company and waives any deductible for the ambulance bill. He added that this is just an option available to the ambulance provider.

Mr. Lawton added that he has received some input and good suggestions and some time is needed for the Fire Department to work that into the ordinance before it is introduced at first reading. It will then go through the public hearing process two weeks later and then, if it passes, it will be effective 30 days later. Mr. Lawton explained that the changes would be tracked from the input received. Right now this was only intended to be a draft and stimulate comment, and we still have time to take additional comment.

Commissioner Beecher pointed out that they didn't want to put a burden on the present provider that is unjustified because they are basically doing their job. He supports putting that base level under the current situation. Mr. Beecher hoped the revised ordinance will reflect that spirit.

Commissioner Hinz inquired about the patient care transfer process and asked if that would be itemized in the ordinance. Mr. Riddle answered yes, if you don't define the process, somebody else will define it. The current transfer process is not optimal. There should be system decisions. Everyone needs to work together to provide the appropriate care for the patient. It clearly defines and establishes what the procedure is for who is there first and who is there second.

Mr. Riddle stated that under the current ordinance, rules, regulations, policies and procedures, the City has very little to no control other than a business license with the ambulance service provider.

Commissioner Jovick-Kuntz inquired who the EMS Administrator is appointed by. Mr. Riddle answered the City Manager. Mr. Lawton stated that it would be a high level appointment. It could be somebody who is already on the payroll and doesn't have any budgetary impact. With all high level appointments, even though the Charter delegates those responsibilities to the City Manager, Mr. Lawton stated that he can't think of an occasion when he hasn't very carefully consulted with each commissioner as appointments were made.

Tim Brester, private owner of two ambulance companies in Polson and Ronan, stated that he reviewed the ordinance and applauds the City and City Council for doing what is best for the patient and for building a safety net. Mr. Brester added that the proposed ordinance is an obvious cut and paste and was put together hodge podge style. He hoped the Council understood that this will have a domino effect in the State of Montana. That Great Falls is on the breaking edge of what is happening here. Several things in the ordinance need to be addressed – Mr. Brester stated it is not clear in the ordinance whether it is emergent or non-emergent, exclusive or non-exclusive. He stated that Medicare and Medicaid, as written, are a mess. There are legal issues, including anti-kick back laws, etc. He stated that there is a lot of liability incurred in the ordinance for either the fire, private ambulance or the City and that needs to be redone with regard to how the patient care transfer process takes place. He explained that the language of not being able to review an assessment that has already been done should be changed because he always reassesses the patients often. He stated that he thought the release of financial information was ludicrous and serves no purpose. He thought part of this was to keep health care costs down, yet in the same sentence it says there is room to increase the prices. So, it doesn't make a lot of sense to him. He added that there needs to be a lot of time and consideration put into this. He asked the Council not to rush to a decision.

Nick Pagnota, attorney for Great Falls EMS, stated he has some serious legal concerns about this ordinance, and that he wants to work with the Abaris Group to tailor down the disagreements.

Mayor Stebbins concluded that valid concerns were addressed regarding patient care and thinks they should take a step back and take a look at the differences.

ADJOURN

There being no further discussion, Mayor Stebbins adjourned the work session of October 16, 2007, at 6:30 p.m.