



VIA HAND DELIVER AND EMAIL

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May 6, 2024

RE: Objection to Right Way BLS Services, Inc. COPCN Application

Dr. Zuver:

Pursuant to Ordinance 2022-19 section 20-94, RG Ambulance Inc. d/b/a American Ambulance hereby files this objection to the Application of Right Way BLS Services, Inc. (hereinafter the "Applicant") for COPCN to operate BLS interfacility service within Orange County. This objection is timely under section 20-94 (b) because it has been within 14 days of the County's notice of the Application.

### Summary of Objection

The application submitted by Right Way BLS Service, Inc. is both deficient in required information and insufficient in its description of the benefits of the proposed service for the population of the county or the population of some geographic area of the county where the applicant will provide its proposed service. As discussed more fully below, there is no verifiable need or necessity within the County as the current providers are exceeding expectations for the current demand for services.

### Applicable Standards and Grounds for Objection

In reviewing the application for COPCN, Section 20-93 (5), "A statement describing, with reasonable certainty, the geographic area proposed to be served and how the applicant's proposed service will benefit the population of that geographic area". The Applicant stated, "to provide unparallel care with oxygen to the counties most vulnerable patients". **Unparallel**-(*Having no equal or match: unique in kind or quality*). Should the "Applicant" be successful in issuance of a COPCN this statement may be true in so far as a BLS only provider in a community where the standard of care has been dual licensure of Advance Life Support (ALS) and Basic Life Support (BLS) transportation providers. Should Orange County be considering lowering the standard of care? The potential for poor patient outcomes and on-scene delays for transport could arise from improper medical telephone ALS/BLS triage. The "Applicant" fails to describe "How the proposed service will benefit the population of the proposed geographic area to be served". Simply providing oxygen does not bring a benefit to the population of Orange County when every current licensed provider

currently does so. Furthermore, many end-of-life patients require medical interventions such as ventilator assistance and IV infusion therapy to maintain life viability during transport to a destination to be with loved ones. BLS only services may cause confusion and unnecessarily delay transport at a critical time.

Section 12 of the application requires the applicant to "provide your proposed response times (IN MIN) for urgent and non-urgent calls." The "Applicant" stated "Response times can vary from 15 minutes to 4 hours." The applicant failed to differentiate between two significant levels of urgency and eludes accountability to any established standard or goal. Combined with Section 9 of the application regarding benefit to the population, this application should be subject to significant scrutiny.

Additionally, and in accordance with section 20-95 (1) EMSAC must consider the number of providers currently providing services and the type and quality of service provided. In doing so, and in accordance with section 20-95 (4) the results of the most recent county survey are to be considered.

The current system has \*Eight (8) providers that are currently licensed as inter-facility transport agencies. Both BLS and ALS certifications are held by all. The addition of another provider will only further degrade the ability of the current providers ability to attract, employ and retain qualified licensed EMS personnel. Five (5) of the current providers have been issued COPCN's over the past 24 months thus having put a strain on the current interfacility transport system. The addition of another provider will be unrevivable and have a reverse effect than what the Applicant states.

It is our recollection that the most recent survey conducted in December 2023 suggest that hospital systems, nursing homes and other health care institutions **do not** see EMS service, response times and oxygen administration as an issue in Orange County. Furthermore, it's our understanding that only seven (7) surveys were completed out of more than a hundred facilities in Orange County. The results of the survey, through lack of participation as well as the submitted responses would NOT suggest that the county should consider additional providers.

The Applicant focuses on a perceived need for patients to be transported that require oxygen. This perceived justification should come of concern to Orange County. Oxygen by itself does not meet the standard for Medical Necessity. Patients could quickly see their insurance claims denied and left with a significant out of pocket expense because the Applicant may have failed to qualify the medical necessity for non-emergency ambulance transport.

Basic Life Support treatment and transportation is more than the administration of oxygen. The recent emphasis of the BLS skill set such as airway management and CPR over the past year in Orange County further demonstrates this.

Section 10 the applicant does not propose having any local presence or station location and would suggest that ambulance be deployed from Clermont located in Lake County.

RG Ambulance Service, Inc. d/b/a American Ambulance has an outstanding reputation in Orange County and the surrounding communities. To date we have not received one single complaint of service or violations from the Division of Emergency Medical Services in two decades.

For the reasons identified, RG Ambulance Service, as an existing provider of ALS/BLS interfacility service provider in Orange County, respectfully requests that the Application of Rite Way BLS Services, Inc. be denied.

Respectfully,

A handwritten signature in blue ink, appearing to be 'B. Eberhart', written over a faint blue circular stamp.

Bob Eberhart  
General Manger

\*National Health Transport, Rocky Mountain Holdings, Affordable Transport, American Medical Response, AdventHealth EMS, Trident EMS, American Ambulance and HCA. Date of COPCN issuance not available at time of draft.