



May 1, 2024

VIA HAND DELIVER AND EMAIL

Dr. Christian Zuver
Medical Director
Orange County Emergency Medical Services
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RE: Objection to Right By Your Side 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 By Your Side (hereinafter "RBYS" or 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 RBYS 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 to 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 merely stated that there is not a single BLS only provider in Orange County. The Applicant failed to mention that every existing transport provider is licensed as both BLS and ALS which is an enhancement to the EMS system and a "Standard of Care" for Orange County. Furthermore, the Applicant is suggesting that addition of a BLS only provider "can help relieve the burden on emergency medical services (EMS) in the area." 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.

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.

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 or response times as an issue in Orange County. Furthermore, It is 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.

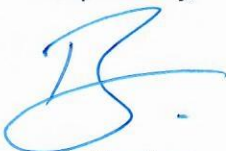
The Applicant focuses on a perceived “demand for patients to be transported that require oxygen”. This statement should come of concern to Orange County. The statement demonstrates the Applicants inexperience in the application of EMS standards of care as well as the inexperience and the complexity of billing Medicare and other third-party insurers. EMS providers in all cases must demonstrate Medical Necessity for reimbursement of claims to insurers. 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.

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 Right By Your Side (RBYS) be denied.

Respectfully,



Bob Eberhart
General Manger