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## Board of County Commissioners Agenda Request 10

Attachment # 2  
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Date of Meeting: December 12, 2006

Date Submitted: December 6, 2006

To: Honorable Chairman and Members of the Board  
 From: Parwez Alam, County Administrator  
 Vince Long, Deputy County Administrator  
 Tom Quillin, Chief, Emergency Medical Services  
 Subject: Approval to Renew a Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services

### **Statement of Issue:**

This agenda item requests Board approval to renew a Certificate of Public Convenience and Necessity (COPCN) for Tallahassee Memorial HealthCare Emergency Medical Services (Attachment #1).

### **Background:**

Tallahassee Memorial HealthCare (TMH) submitted a completed application for renewal of their Certificate of Public Convenience and Necessity (COPCN) to provide Emergency Medical Services in accordance with Article III, Section 8-61 of the Leon County Code of Law (Attachment #2).

In their renewal application, TMH has requested that their current COPCN language be changed to include: TMH can transport all medically necessary transfers from TMH to other facilities immediately, on non-medically necessary transfers TMH transport resources will be the first call, that TMH at the request of Leon County would be available to assist with emergency transports from other hospitals and that TMH transport services would be authorized to transport patients from other regional facilities to TMH for higher level of care or continuation of treatment (Attachment # 3).

The current TMH COPCN authorizes the following services only: *“neonatal, infant and pediatric Advanced Life Support services, non-medically necessary TMH campus interfacility transports, and transport of adult patients who do not meet medical necessity criteria as established by the Center for Medicare and Medicaid Services, from TMH to other local or regional facilities, with prior approval of LCEMS”* (Attachment # 4).

The TMH COPCN application was distributed for comment in accordance with Section 8-62 of Article III of the Leon County Code of Law on August 1, 2006 (Attachment # 5). Only one written response to the application was received from any of the organizations or individuals. That response, in support of issuing the COPCN as applied for, was received from Emergency Medical Services Advisory Council (EMSAC) member Dr. Javier Escobar of TMH (Attachment # 6).

The EMSAC met on September 13, 2006 to discuss the approval of the requested COPCN. At that meeting the EMSAC could not reach a consensus on language changes submitted by TMH. The EMSAC and TMH agreed to appoint staff to further discuss the issue and bring a proposal back to the EMSAC board via mail ballot. A major point discussed at the EMSAC meeting was that there was no data to support the necessity of the changes to the language of the current COPCN. There were no objections to renewing the COPCN with the current language (Attachment # 7).

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### **Analysis:**

After the meeting on September 13, 2006, the EMSAC and TMH representatives met to further discuss the

After the meeting on September 13, 2006, the EMSAC and TMH representatives met to further discuss the language of the COPCN and the data required to establish necessity. TMH was unable to provide specific instances or any data where calling Leon County prior to transporting a patient significantly delayed the transport of the patient or was detrimental to the patient. Furthermore there are no written complaints on file with the County that suggests that the current practice is not working.

According to the county's billing vendor, Advanced Data Processing, Inc., between May 1, 2006 and September 30, 2006, Leon County has transported 405 patients from TMH to another health care facility.

A packet was sent to EMSAC members on November 3, 2006 regarding a ballot vote on the Tallahassee Memorial Healthcare COPCN. EMSAC members submitted their vote via written ballots that were opened at 1:00 PM on November 13, 2006. The results were 6 votes for approval of the recommended COPCN with no changes to the currently held COPCN and 2 votes for the requested amended COPCN for TMH.

Given that necessity has not been established to expand the current TMH COPCN as requested; EMSAC recommends Option # 1, renewal of the current COPCN, and Option #2. do not approve amended COPCN, as requested by TMH.

**Options:**

1. Approve the renewal of a Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services.
2. Do not approve the amended Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services, as requested by Tallahassee Memorial HealthCare.
3. Do not approve the renewal of a Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services.
4. Approve the amended Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services, as requested by Tallahassee Memorial HealthCare..
5. Board Direction.

**Recommendation:**

Options # 1 and #2.

**Attachments:**

1. Recommended Certificate of Public Convenience and Necessity (COPCN)
2. TMH COPCN Application: Available for Inspection – 5<sup>th</sup> floor, Courthouse
3. June 23, 2006 letter for TMH requested expanded COPCN
4. Current COPCN held by TMH
5. August 1, 2006 letter and distribution list for application review
6. August 22, 2006 letter from Dr. Escobar
7. Minutes of September 13, 2006 EMSAC Meeting
8. Minutes of November 11, 2006 Ballot Opening

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The Board approved Option #1: Accept the FY 2005/2006 Annual Performance and Financial Report.

Item 5 Authorization to Realize the Year-End Fund Balance for the One-Cent Tourist Development Tax Collected for the Performing Arts Center into the FY 2007 Budget

(OMB – Alan Rosenzweig)

The Board approved Option #1: Approve the resolution and associated budget amendment appropriating the tourist development additional one-cent tax fund balance into the FY 2007 performing arts center budget.

Item 6 Adoption of the Public Notice 2007 Tentative Schedule, Citizens Committees, Boards and Authorities 2007 Term Expirations and Vacancies, and the Board Travel Schedule

(County Administration/Agenda Coordinator – Benjamin Pingree/Christine Coble)

The Board approved Options #1, #2, #3, and # 4:

1. Adopt the Leon County Board of County Commissioners' Public Notice 2007 Tentative Schedule, and adopt the Citizens Committees, Boards and Authorities 2007 Term Expirations and Vacancies listing.
2. Approve the 2007 Board of County Commissioners' Travel Schedule and authorize Commissioners' travel to the scheduled events.
3. Schedule the 2007 Board Retreat for December 10, 2007, from 9:00 a.m. - 4:00 p.m.
4. Cancel the June 12, 2007 Regular Board meeting.

Item 7 Request to Reschedule the Workshop on the Proposed Business Accelerator Plan for Tuesday, January 23, 2007 from 12:00 – 1:30 p.m. and Reschedule the Workshop on Universal Solid Waste Collection and Solid Waste Assessment for Tuesday, February 13, 2007 from 12:00 – 1:30 p.m.

(County Administration/Special Projects – Benjamin Pingree/Shington Lamy)

The Board approved Option #1: Reschedule the workshop on a proposed Business Accelerator Plan for Tuesday, January 23, 2007 from 12:00 - 1:30 p.m.

Item 8 Approval of Revised Interlocal Agreement for the Capital Region Transportation Planning Agency

(Public Services/Special Projects – Vincent Long/Shington Lamy)

The Board approved Option #1: Approve the revised Interlocal Agreement for the Capital Region Transportation Planning Agency.

Item 9 Approval of Proclamation Recognizing the 2006 Arbor Day Celebration

(Public Services/Special Projects – Vincent Long/Shington Lamy)

The Board approved Option #1: Approve the Proclamation Recognizing January 21, 2006 as Arbor Day.

Item 10 Approval to Renew a Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services

(Public Services/Emergency Medical Services – Vincent Long/Tom Quillin)

The Board approved Options #1 and #2:

1. Approve the renewal of a Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services.
2. Do not approve the amended Certificate of Public Convenience and Necessity for Tallahassee Memorial HealthCare Emergency Medical Services, as requested by Tallahassee Memorial HealthCare.

Item 11 Approval of a Subgrant Agreement for the Transfer of Equipment Purchased with the Emergency Medical Services Matching Grant Program and American Heart Association Match 8