

Boardman Fire requests support ambulance licensing

-Continued from PAGE ONE independent look at this," said Sykes.

Nelson said that when she started delving into it, she decided it would be more appropriate to reach out to counsel outside of the county to try to find someone who had more expertise in the matter.

"For other counties, even far larger than Morrow County, they also, when these questions come up, work with outside counsel," said Nelson.

Nelson was directed toward attorney Bob Blackmore. Blackmore has worked with numerous municipalities on Emergency Medical Services (EMS) and Ambulance Service Area (ASA) issues and is currently assisting Wasco County with an EMS/ASA issue.

Since Blackmore needs time to review the documentation on the ASA issue, Nelson informed Hughes and Morrow County Health District (MCHD) CEO Emily Roberts on March 6 that counsel wouldn't be prepared March 15.

After that decision was reached, the county received a request from Hughes to again be put on the agenda—this time to request a letter in support of Boardman ambulance licensing from the board of commissioners.

Hughes stated at last week's meeting that, to go through the ambulance licensing process in the state of Oregon, an entity has to go before the county commissioners and get a letter of support as part of the submittal of their application.

"That letter can't come from anybody else but the governing body," said Hughes.

Hughes stated before the board that it would have no impact on the county's ambulance system if Boardman Fire Protection District got licensed as an ambulance service provider. Hughes also said that MCHD would continue to operate as usual while BFRD would provide service to partnering agencies such as the Oregon Military Department and Umatilla County Fire Department, which would include occasional interagency transports for Good Shepherd in Hermiston.

"So there would be no immediate impact on Morrow County as a licensing agency," said Hughes.

Hughes added that he had gone to the Oregon Health Authority and been told that the only documentation of need the county had to provide was a letter saying the BFRD could seek licensing.

"That is the documentation," said Hughes. "They're not looking for a long, drawn-out, detailed explanation."

"That's why we're here. We would like to license our ambulances. It will have no impact on the county whatsoever because we're not part of the ASA now. What we're asking is no different than PGE. They're going to be asking for a letter of support, too," he added. "Basically, we're asking for the same kind of consideration, which is something that this governing body does on a regular basis, these letters of support, and that's what we're here today to ask for."

In her response, Roberts noted that the Oregon Administrative Rule (OAR) states that ambulance license applicants needed to establish "a documented need for the service supported by the county gov-

ernment" and that, under MC-C-4-98, no ambulance can operate in Morrow County that is not incorporated into the ASA system. She also said the ordinance charges the EMS advisory committee with making determinations about changes or additions to the ASA plan.

"So that would be the more appropriate group to hear this request," said Roberts. "And a formal request in writing with explanations has not been brought to them that I'm aware of."

Roberts also stated that the health district had no issue with Boardman Fire operating in Umatilla County, but that would require being in Umatilla County's ASA and working with Umatilla County agencies.

"That wouldn't be something that Morrow County should involve themselves in," Roberts said. "And I know that our attorney did provide some legal opinion to county counsel about risks to the county if the county were to get involved in issues that really related to Umatilla County."

Roberts referred to a letter from MCHD attorney Troy Bundy. "If the BOCC wishes to take these kinds of determinations out of the hands of those directed under the law, then the BOCC must first change the state of the law and decide that it, rather than the Advisory Committee, is in the best position to make these health care determinations..." the letter stated. "However, at present, the BOCC is respectfully not in a position, as a matter of fact and law, to declare that Morrow County has a documented need for more ambulances."

Roberts said she suggested if the board of commissioners had questions about what OHA needed or required, they should get that straight from OHA. "I don't think you should get that from myself or Chief Hughes," she said.

"We understand the process that Emily was talking about," responded Hughes. "AMR, MetroWest could apply to run ambulance services in this county tomorrow because they're licensed in the State of Oregon."

"We can't go anywhere. We can't ask anybody to do anything without being licensed," he added. "We're very clear that, if we're licensed tomorrow, we cannot operate an ambulance outside the ASA. That's not what we're asking for. We're asking, simply, to let us go through the licensing process."

Hughes further said that BFRD's intergovernmental agreement with UCFD has nothing to do with their ASA and that Boardman Fire would not become part of their ASA.

"The law as it stands does not allow the board of commissioners to make the determination, because a previous board of commissioners delegated that to the advisory committee," responded Roberts. "Like it or not, that is the way that the law stands right now."

Morrow County Commissioner Jeff Wenholz said he had consulted with Nelson and Morrow County Interim Administrator Roberta Vanderwall regarding whether the board of commissioners could provide a letter of support for Boardman Fire getting licensing for the specific purposes Hughes mentioned.

Nelson said he had reached out to the OHA, which had said a licensed

ambulance service could provide services in any county as long as they were not violating an existing ASA. Most of the time, there would be some kind of mutual aid agreement or contract with the hospital for interfacility transports.

"The letter from Chief Hughes isn't that specific," said Sykes. "It doesn't talk about work outside the county."

"I don't think there's any question; I think we all know that they can't operate in Morrow County without being part of the ASA," said Wenholz. "I think the question before us is, will we write a letter in support of them seeking a license from OHA with the understanding that they won't at this point do any transports within Morrow County without being part of the ASA?"

"I guess my question would be, why do we write a letter for them to operate outside Morrow County?" asked Sykes. "If they want to operate in Umatilla, why wouldn't they go to the Umatilla County commissioners and say, 'Hey, write us a letter in support of us operating in Umatilla County? Why are we even involved?'"

"From my perspective, it's because they're based in our county," replied Wenholz. "Ultimately the decision going to be with OHA."

"Our goal is to get licensed. We're based in Morrow County," said Hughes. "My goal is also that, if the health district finds themselves in need of an ambulance, instead of calling Gilliam County, because we're licensed, they can request us for mutual aid because we're licensed in the state. 'If we were in Umatilla County, I wouldn't be talking to you, but we're based in Morrow County.'"

"But now you're saying you might operate in Morrow County?" Sykes asked.

Hughes replied that there was a possibility BFRD might operate on a military base in Morrow County, which was another reason he needed the Morrow County Commissioners to provide the letter.

"Yes, we will provide services technically in Morrow County but on government entities," Hughes added.

"There's enough gray area in this whole thing. I think it is connected to the ASA. I think that needs to be settled first," said Sykes. "If that isn't a valid ordinance, then it needs to be redone, and that's where these things could be worked out." He added that that the commission had heard from both sides and now needed to get its own independent

legal counsel.

"Would you be willing to wait until we get that, and then we can consider moving forward?" he asked Hughes.

Hughes said he saw the ordinance, ASA and letter of support as three different issues needing three different decisions.

"I can't even apply to the ASA without a license. I'm in a catch-22," said Hughes. "The fact that we're being held back on improving our organization, that's the frustration for me," he added.

"I don't look at it as being held back. I look at it as going through the proper process," responded Sykes. "I think they're tied together."

"If you write a letter to OHA, you are certifying that there is documented need," replied Roberts. "If you assert that and it's not true, I would think that that would be problematic. If you assert that for another county where you don't know if that's true, I would think that that would be problematic."

"Once again I would say it needs to go back to Umatilla County, it needs to involve legal counsel, and where there's a question about what OHA says, it should be resolved by OHA, not any of us," said Roberts.

"I'm not against waiting until we get counsel," said Morrow County Commissioner Roy Drago, Jr. "I do believe that there is a need. I could give several examples of my own. But I don't understand the legalities."

"Once again, we're hearing too many different stories for me to make a decision on what is right and what is wrong," Drago added.

The board voted to table the request for a letter of support until the April 5 meeting. However, this week the Gazette-Times learned that the Morrow County Health District has scheduled a hearing concerning alleged violations of the ASA plan by Boardman Fire. The hearing will take place May 12 at 1 p.m. in Boardman. In the hearing notice, MCHD indicated it would pursue legal action if the issue could not be solved at the hearing.

First Remembrance 5K timed run sees good turnout



Top four finishers (L-R) Jacob Finch, Gage Hart, Trevor Nichols and Hunter Nichols. -Photo by Tylynn Cimmiyotti



L-R: Trevor, Madelyn, Lily and Hunter Nichols, first place finishers in their age groups. -Photo by Tylynn Cimmiyotti



Pictured are all awarded finishers who were still present to receive medals (L-R): Alaina Lemmon, Russ Nichols, Jay Hooson, Dwight French, Hunter Nichols, Madelyn Nichols, Lily Nichols, Trevor Nichols, Gage Hart, Jacob Finch, Lizzie Ginn, Lincoln Ellsworth, Mikalie Duncan, Ella Mullins and Charlie Mullins. -Photo by Tylynn Cimmiyotti

The 2023 Remembrance Walk/5K Run saw what may be a record-breaking turnout, and the event's first competitive run was also a success, with 45 runners registering for the timed 5K run.

Winners are as follows: Overall Male: Hunter Nichols, 15:47

Overall Female: Madelyn Nichols, 21:01

Female 13 & Under: 1. Ella Mullins, 2. Mikalie Duncan, 3. Lizzie Ginn

Male 13 & Under: 1. Charlie Mullins, 2. Lincoln Ellsworth, 3. Sonny Matheny

Female 14-19: 1. Lily

Nichols, 2. Ariana Worden, 3. Irelynn Kollman

Male 14-19: 1. Trevor Nichols, 2. Gage Hart, 3. Jacob Finch

Female 20-29: 1. Madelyn Nichols, 2. Tonita Britt, 3. Callahan Britt

Male 20-29: 1. Hunter Nichols

Female 30-39: 1. Amber Schlaich

Male 30-39: 1. Stefan Matheny

Female 40 & Older: 1. Petra Payne, 2. Alaina Lemmon, 3. Janelle Ellis

Male 40 & Older: 1. Jay Hooson, 2. Russ Nichols, 3. Dwight French

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