

CHRISTMAS BUSINESS PAGE CONTINUED



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Morrow County Health District giving 90 day notice to discontinue ambulance service

-Continued from PAGE ONE

ers determined through an application process, review, and recommendation to the Board of Commissioners. While MCHD has offered a preliminary proposal at this time, no proposal has been requested or submitted by BFRD, but BFRD has indicated a desire to apply.

What MCHD says:

Morrow County Health District has made it clear to Morrow County that they cannot proceed under a new ASA Plan without a mutually agreeable service contract, ASA Plan, and Ordinance in place.

The County's response:

MCHD has operated ambulance services in the County for decades without a service contract. The draft ASA will require a service contract whether there is a single or multiple ambulance provider. This protects the County, the providers, and our residents and visitors.

What MCHD says:

The composition of the new EMS Advisory Committee does not specifically include paramedics or EMTs. Aside from the supervising physicians, none of the other committee members possess the necessary qualifications to oversee the care provided by these professionals.

The County's response:

MCHD currently utilizes the EMS Advisory Committee as a forum to review individual case issues and as a peer review platform.

The current EMS Advisory Committee membership is overwhelmingly filled by MCHD employees. Under the new ASA document, the EMS Advisory Committee would be reviewing the ambulance providers' overall operations rather than individual worker performance. As such, the submitted ASA pulls from an external pool of first responder experts (appointments from all fire districts) and other medical and first response professionals to provide an external review to improve transparency and accountability.

What MCHD says:

Morrow County has also failed to specify a process for investigating medically related issues. Additionally, confidentiality concerns surrounding investigations and chart reviews performed by the EMS Advisory Committee have not been sufficiently addressed. The maintenance of peer review protections requires a strict process for ensuring the confidentiality of records, as mandated by ORS 41.675. The proposed ASA Plan does not provide adequate details on this matter and simply states that a process will be developed.

The County's response:

MCHD has asserted that confidentiality safeguards and the process of investigations have not been fully outlined. All pertinent state and federal laws will be followed. The removal of sensitive

peer-review information from the EMS Advisory Committee function and a focus on OHA compliance reports and general operations also alleviate these concerns.

What MCHD says: The proposed ASA Plan allows the EMS Advisory Committee to submit reports to public officials and permits public officials to attend executive sessions without specifying safeguards for confidential information and executive sessions.

While Morrow County's press release did not specifically mention it, a closer analysis of the latest draft of the ASA reveals several key points.

All investigations shall, to the greatest extent allowed by law, be conducted pursuant to ORS 41.675 and ORS 41.685, and medical information shall be further protected under the Health Insurance Portability and Accountability Act regulations and Oregon Public Records laws. Subject to approval by the County Commissioners, the QA Committee shall develop and propose approval of procedures to ensure confidentiality under the above provisions.

The EMS Advisory Committee shall conduct meetings in accordance with the Oregon Public Meetings laws and comply with the Oregon public records law, ORS Chapter 192. Executive sessions closed to the public may be held when authorized

by Oregon law. Both the records and minutes of executive sessions shall be handled to ensure patient confidentiality in compliance with state and federal laws.

What MCHD says:

The proposed ASA Plan includes a provision that requires MCHD to surrender its ambulances and equipment to Morrow County for an unspecified period of time if MCHD vacates the ASA.

The latest draft of the ASA includes a section that pertains provider vacating. However, this particular aspect was not mentioned or discussed in Morrow County's press release.

A Provider that no longer provides ambulance services will be required to turn over their ambulance(s) and equipment to the Board for use until a replacement service can be established in the area. Reasonable compensation will be negotiated by the vacating Provider and the Board. However, Oregon law may not require payment for the ambulances to another entity taking over the ASA Service Area. In the event that the parties are unable to agree on reasonable compensation, either party may request binding arbitration through the Morrow County Circuit Court.

In a discussion with Jensen, the county is still in the process of refining the language to ensure clarity. The main goal is to estab-

lish a system that closely resembles the language utilized in the 1998 ASA and aligns with the standards set by the State. The goal of this system is to prevent the county from being exposed to vulnerability in terms of ambulance services, particularly in scenarios where a service provider unexpectedly discontinues their services.

What MCHD says:

Morrow County has included a 35-mile boundary between the service area awarded to Boardman Fire Rescue District and the area to be served by MCHD, seemingly to preserve MCHD's cost-based reimbursement. MCHD has requested information on how this boundary was determined, as it does not appear to fall within the legally mandated 35-mile range. However, Morrow County has not provided this information.

The County's response:

According to Jensen, the required 35-mile range is not measured by the straight-line distance (as the crow flies), but rather by the distance on drivable roads. The county is still in the process of identifying and finalizing these routes.

One thing that should be noted is that Jensen acknowledged in his press release that there was a breakdown in communication with MCHD. He stated, "There was a misstep or perhaps a misunderstanding. The County had agreed to respond to

MCHD, if necessary, before submitting the draft. However, the County and its Consultant had already incorporated many of the requested changes and believed it was important to move the process forward by sending the draft for review and comment to OHA. We had planned to communicate further regarding MCHD's comments while the draft was under review. Unfortunately, due to a communication error on the County's part, MCHD did not receive the expected response. Both staff and the County's Consultant take full responsibility for this and apologize for the confusion."

To access the MCHD press release, please visit their website <https://www.morrowcountyhealthdistrict.org/> or Facebook page. For Morrow County's counter press release, you can find the full statement on Morrow County's website, specifically under the "news and announcements" section. Additionally, you can also find the latest ASA draft plan on Morrow County's website in the same location. <https://www.co.morrow.or.us/>



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