

## **SWREMS Policy and Procedures**

### **1. Finance:**

- Reconciliation of Bank Statements
- Requests for Reimbursement

### **2. Operations:**

- Adoption of NY State M/WBE Policy
- Expansion of Primary Operating Territory – Administrative / Uncontested

### **3. Membership:**

- Supervision and Performance Evaluation Policy
- Diversity Policy
- Filling a vacancy

**Southwestern Regional EMS Council  
Reconciliation of Bank Statements**

The monthly bank statements will be reconciled by the treasurer and an individual who has no authority to sign checks or handle bank deposits.

Adopted 2008

**Southwestern Regional EMS Council  
Request for Reimbursement**

- All requests for reimbursement for left over funds must be submitted by January 15.
- Request for reimbursement for Vital Signs Must be submitted by December 1.

Adopted 2014

**BOARD RESOLUTION OF THE  
SOUTHWESTERN REGIONAL EMS COUNCIL  
ACKNOWLEDGING ADOPTION OF NY STATE  
M/WBE POLICY**

Upon motion, duly seconded, the following resolution was adopted:

WHEREAS, the Southwestern Regional EMS Council has an unwavering commitment to adhering to ethical, unbiased and legal standards in all of its activities, as set forth in its Code of Conduct;

WHEREAS, NY State requires all contractors and subcontractors to adhere to M/WBE regulations and policies in order to enhance MBE and WBE participation in NY State-funded projects;

THEREFORE, BE IT RESOLVED, that this Board of Directors has reviewed the NY State M/WBE legislation and hereby endorses its adoption as follows:

The Southwestern Regional EMS Council will and will cause its contractors and subcontractors to take good faith actions to achieve the M/WBE contract participations goals set by the State for that area in which the State-funded project is located, by taking the following steps:

- (1) Actively and affirmatively solicit bids for contracts and subcontracts from qualified State certified MBEs or WBEs, including solicitations to M/WBE contractor associations.
- (2) Request a list of State-certified M/WBEs from the contracting State agency- and solicit bids from them directly.
- (3) Ensure that plans, specifications, request for proposals and other documents used to secure bids will be made available in sufficient time for review by prospective M/WBEs.
- (4) Where feasible, divide the work into smaller portions to enhanced participations by M/WBEs and encourage the formation of joint venture and other partnerships among M/WBE contractors to enhance their participation.
- (5) Document and maintain records of bid solicitation, including those to M/WBEs and the results thereof. The Southwestern Regional EMS Council will also maintain records of actions that its subcontractors have taken toward meeting M/WBE contract participation goals.
- (6) Ensure that progress payments to M/WBEs are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation.

FURTHER RESOLVED, that *Laurie Faso*, Treasurer, is appointed Compliance Officer, to be responsible for insuring adherence to all contract participation goals as set forth by the contracting State Agency; and

THEREFORE, BE IT RESOLVED, that, periodically, the Compliance Officer shall report on organizational compliance, as deemed appropriate, to the Board of Directors; and

BE IT RESOLVED, that the members of the Board of the Southwestern Regional EMS Council are, and each acting alone is, hereby authorized and directed to take such further action as may be necessary, appropriate or advisable to implement this Resolution and any such prior actions are hereby ratified; and

WE, THE UNDERSIGNED hereby certify that the officers of the Southwestern Regional EMS Council is comprised of 5 of members, of whom 5, constituting a quorum, were present at the meeting, duly and regularly called, noticed, convened and held this 6th day of August, 2014, and that the foregoing Resolution was duly adopted at said meeting by the affirmative vote of the 5 members and opposed by 0 members and that said Resolution has been duly recorded in the Minute Book and in in full force and effect.

\_\_\_\_\_ Chair

\_\_\_\_\_ Vice Chair

\_\_\_\_\_ Secretary

\_\_\_\_\_ Treasurer

\_\_\_\_\_ Past Chair

Adopted 2014

# Southwestern Regional Emergency Medical Services Council

Serving Allegany, Cattaraugus and Chautauqua Counties

## Policy Statement

**Title:** Expansion of Primary Operating Territory – Administrative / Uncontested

**Purpose:** This policy shall address the procedures required for Regional EMS Council approval of an expansion of primary operating territory to an existing provider when the expansion is requested to correct an administrative omission and it is uncontested. Requests to amend or expand primary operating territory must be approved by the regional council.

### Definitions

*Administrative omission:* An omission of geography or accurate geo-political description of the territory in the listing of primary operating territory on the applicant's existing ambulance certificate AND when they have been providing documentable primary ambulance or ALSFR response continuously and prior to April 1<sup>st</sup> 1975 in that omitted territory.

*Public Need:* The Demonstrated Absence, reduced availability or an inadequate level of care in ambulance or emergency medical service available to a geographical area which is not readily correctable through the reallocation or improvement of existing resources.

*Substantive objection:* means an expressed protestation to the application, either in writing or verbally to the council, by a party with a legitimate interest which is based upon one or more grounds of: false application; territorial infringement that cannot be supported by the application; or proven incompetency. The Regional Council Chairman, the EMS Service Committee Chairman or the full council may make a determination of substantive objection.

*Uncontested:* No comments are received by the regional Council of substantive objection after statutorily required notice has been sent and after calling for comments at the scheduled meeting where this matter was duly publicized to be addressed.

### The Application

The applicant shall submit to the Southwestern REMSCO at least two (2) original versions of all documentation

- 1) Completed and notarized application, (DOH-3777). It must clearly define the proposed expansion territory in geo-political boundaries.
- 2) Completed, notarized and sworn Affirmation of Competency and Fitness (DOH-3778) and;

a) Current resume for each proposed owner and/or officer of the corporation (Waived for entities falling under the category of municipality)

b) A list and/or copy of orders or deficiency notices, if any, issued within the past 10 years from any NYS Department or equivalent out of state agency listed that have deficiencies identified (singular or repetitive) that did or could have caused patient harm or were repetitive and uncorrected.

c) A list of any malpractice actions by the agency or any officers, if any, within the past 10 years that relate to patient care or harm and the outcome of each.

3) Detailed narrative to support the demonstration of need, or statement of purpose and intent for expansion.

a) Rationale for requesting the expansion; the level of service provided; and any financial impact anticipated on existing services.

b) Documentation must also include proof that the service existed within or responded within the 'omitted territory' continuously and prior to April 1<sup>st</sup> 1975. Proof may be in the form of political subdivision contracts, run records, PSAP dispatch records, etc. Mutual aid responses alone shall not be considered proof of primary territory.

4) A map outlining the current primary operating territory and the proposed expansion geography and a written description of the desired territory within geopolitical boundaries

5) A copy of the current operating certificate

Two original copies of the application and all attachments shall be submitted to the Southwestern Regional EMS Council; P.O. Box 544, Olean New York 14760.

6) The processing fee is to be established by the Council from time to time with the unexpended balance returned to the applicant. (As of the time of this policy approval the fee is \$500.00)

### **Regional Council Responsibility**

Within seven business days of receipt, the application shall be reviewed for completeness by the EMS Service Committee Chairman. The application shall be accepted if it is deemed to be complete in accordance with this policy. When determined to be complete, the time frame for processing established by Article 30, 3008 begins.

If found to be incomplete, it shall be returned by certified mail or personal service to the applicant within ten (10) business days with a written explanation of the grounds for the rejection.

The Regional Council shall begin action immediately upon receipt and acceptance of a complete application. This action shall include the following:

- a) Scheduling this matter as an agenda item at a Regional Council meeting which shall be greater than twenty-one days hence and not more than sixty days hence. All council members will receive a copy of the DOH-3377 and prior notice that the matter will be discussed and voted on at that meeting.

- b) Within two business days of deeming the application complete the DOH BEMS shall be requested to conduct a fitness and competency review of the applicant, to be completed prior to the scheduled council meeting.
- c) Letters of notice shall be sent in accordance with PHL 3008, greater than fourteen days prior to the Regional Council meeting by certified mail to: the chief executive officers of all general hospitals, ambulance services, and municipalities operating within the same county or counties where the service seeks to operate. The letter of notice shall include the date, time and location of the council meeting, the definition of public need, a solicitation of response to the application by a specific date and provide a mechanism for any interested party to obtain and/or review the application. The council shall specifically request comment from the appropriate county EMS or Emergency Services Coordinator.
- d) If the Regional Council Chairman or the EMS Service Committee chairman, in their determination, receives a response to a letter of solicitation which indicates a *substantive objection* to the proposed expansion, the current process will be halted. The applicant will be notified by certified mail that an objection exists and they will be directed to follow the Regional Council adopted policy on CON applications (NYS DOH BEMS 06-06). If a response has been received that cites an objection that is not deemed substantive by either Chairman, the process shall continue and the applicant shall be notified that an objection has been received. (The objection must be reviewed at the meeting of the subcommittee if one is held and at the full regional council where a determination vote must be taken on the objection – prior to a vote on the expansion.) If the full council determines by vote that the objection is substantive, the process is halted and the applicant is referred to policy as above.
- e) If no *substantive objections* are received, the matter may be discussed at an EMS Service Committee meeting. The applicant may make a presentation at that time. Deliberations during that meeting may result in a seconded motion to be brought before the full council.
- f) At the publicized Regional Council meeting: details of the application documents will be read into the record; any letters received regarding the application shall be reviewed; the fitness and competency review shall be announced; the applicant shall be allowed to address the council; and anyone present wishing to speak on the matter shall be allowed to do so. Speakers addressing the application shall be limited to five minutes each.
- g) After the presentations, and absent any *substantive objections* to the application, an affirmative motion on the matter shall be called for (Or the seconded motion from sub-committee if one exists shall be read). Following discussion a roll call vote shall be taken with sixteen affirmative votes required to approve the expansion application. The motion must contain a statement that the Regional Council finds that this application meets the administrative omission definition. If approved the council shall notify the DOH BEMS area and central offices.
- h) The applicant; an objecting party whose objection was not deemed substantive; or any concerned party may appeal the determination of the regional council to the state council within thirty days after the regional council makes its determination. If no objections are received within 30 days of an affirmative regional council determination, the state DOH shall process the amended certificate.

Approved      October 1, 2008

Amended

## **Southwestern Regional EMS Council Supervision and Performance Evaluation Policy**

The Southwestern Regional Emergency Medical Services (EMS) Council is an all-volunteer agency organized to coordinate emergency medical services programs within Chautauqua, Cattaraugus and Allegany counties and to perform all duties in accordance with Article 30, section 3003, of the New York State Public Health Law and Chapter VI of Title 10 of the Official Compilation of Codes, Rules and Regulations.

As an all-volunteer organization, supervision and performance evaluation of members is limited to the scope of the deliverables set by New York State that our organization was created to achieve. The Southwestern Regional EMS Council will submit quarterly reports to the New York State Department of Health, Bureau of EMS outlining our deliverables and activities undertaken by the Council to achieve them.

Prior to May 1 of each year, the Council will forward a copy of its voting members, by-laws, policies, procedures, budget template and training plan and other significant documents to the New York State Department of Health, Bureau of EMS for review and approval.

Our active volunteer membership consists of not more than 30 appointed voting members who are required to reside within the geographic area to be served by the regional council.

Members serve for a period of four years with the term commencing on January 1 and terminating on December 31. Members are required to attend quarterly council meetings.

In accordance with Article IV, Section D, of our By-Laws members can be removed for:

1. Three (3) absences in an official business year (January 1 to December 31). An appointed member can be removed from membership on the recommendation of the Membership Committee and voted on by the Council.
2. Conduct unbecoming a Regional Council member, by a two-thirds (2/3) vote of those present and voting and providing that the proposed action was referred to in the notice for such a meeting.

The Council maintains an active Membership Committee which recruits and screens Council members. As needed, the Council Chair appoints members to ad-hoc committees commensurate with the member(s) skills and experience. Council members are offered EMS training opportunities through the Council and the Council supports leadership training opportunities and professional

enhancement opportunities by supporting members who attend New York State's annual Vital Signs EMS Conference.

Chair \_\_\_\_\_

Vice Chair \_\_\_\_\_

Treasurer \_\_\_\_\_

Secretary \_\_\_\_\_

Past Chair \_\_\_\_\_

Adopted 2014

**Southwestern Regional EMS Council**  
**Diversity Policy**

The Southwestern Regional EMS Council does not discriminate on the basis of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age, disability or social position.

As an all-volunteer organization, we are dedicated to the coordination of emergency medical services programs within Chautauqua, Cattaraugus and Allegany counties in a manner which reflects the diversity of the communities we serve. The Southwestern Regional EMS Council will ensure that our volunteer representatives are reflective of the communities in which our services are provided.

As prescribed in Article IV, section A, of our By-Laws, our membership includes representatives of ambulance services, emergency medical care committees, physicians, hospitals, health-planning agencies, fire department emergency and rescue squads, public health officers and the general public.

The Southwestern Regional EMS Council believes in treating all people with respect and dignity. We strive to create and foster a supportive and understanding environment in which all individuals realize their maximum potential within our organization, regardless of their differences.

We will endeavor to ensure that our policies, procedures and practices are free of deliberate or unintentional (systemic) barriers so that no one is disadvantaged.

Accordingly, we resolve that the membership committee annually conduct a review of our membership for consistency with Article 30, a demographic survey of the membership, and a statistical analysis of the information available through the US census data. Upon completion of the reviews, a report will be made to the Council. After the report is made, the Council will determine the level of compliance with the data.

\_\_\_\_\_ Chair  
\_\_\_\_\_ Vice Chair  
\_\_\_\_\_ Secretary  
\_\_\_\_\_ Treasurer  
\_\_\_\_\_ Past Chair

Adopted 2008  
Amended 2014

**Southwestern Regional EMS Council**  
**Filling a Vacancy Policy**

When a Council member's seat becomes vacant and a candidate is appointed to that seat, the new member will serve until the end of the vacated seat's current term. The new member will also assume the seat the previous member held (County Council appointed or at-large). If the newly appointed member wants to retain the seat, they will seek reappointment at the end of the seat's term they are serving.

Adopted 2014