



## CITY OF ST. GEORGE

175 East 200 North  
St. George, Utah 84770

February 5, 2013

W. David Patton, Ph. D., Executive Director  
Utah Department of Health  
P.O. Box 142004  
Salt Lake City, UT 84114-2004

Paul Patrick, Director  
Bureau of Emergency Medical Services  
Utah Department of Health  
P.O. Box 142004  
Salt Lake City, UT 84114-2004

Re: City Of St. George's Response to *In Re: Gold Cross*

Dear Messrs. Patton and Patrick,

On January 22, 2013, Maxwell A. Miller, Hearing Officer in the matter *In Re: Gold Cross Ambulance* issued a Recommended Final Order wherein he determined that the Gold Cross Application be approved and then outlined his findings in the Recommended Final Order.

The City of St. George ("City"), as an interested party in *In Re: Gold Cross*, received notification of Mr. Miller's Recommended Final Order ("Recommended Order") via e-mail later that afternoon. As perhaps the only real interested party in this matter (the corporate boundaries of the City being the only service territory sought by Gold Cross), the City has now had an opportunity to review the Recommended Order and respectfully submits the following in response.

The City of St. George recognizes the need for a high-quality and efficient Paramedic Rescue and Paramedic Ground ambulance service provider (EMS Provider) for its citizens, especially given that the state licenses only one such provider within the City. The City has, until this point, relied on the State of Utah Bureau of Emergency Medical Services ("BEMS") to set the standard for the delivery of these services to our citizens as well as to oversee and enforce the adoption and execution of the standards by Dixie Ambulance Service (DAS), the current EMS provider. After review of the Recommended Order, the City is concerned that not only has DAS failed to meet the State's standards, but that the State of Utah BEMS has failed to do its job in the oversight and enforcement of these standards. As a consequence DAS, the current provider, is in jeopardy of losing its license and the citizens of St. George have not received the level of

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**CITY OF ST. GEORGE**

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Daniel D. McArthur

**CITY MANAGER**

Gary S. Esplin

**CITY COUNCIL**

Gil Almquist  
Gail Bunker, Jimmie Hughes  
Benjamin Nickle, Jon Pike

service to which they are entitled. This is of great concern to the City. It is surprising to us that the Recommended Order states that DAS is not “financially viable<sup>1</sup>” when the state has had the authority and duty to have been aware of the financial status of the City’s sole EMS provider. While the City does not dispute the findings regarding the financial status of DAS, the City questions how a state agency, whose job it is ensure that license holders are financially viable to provide this essential and critical service, only became aware of this fact at the same time as the City, and only due to the license application process initiated by Gold Cross. Furthermore, the Recommended Order states that DAS is in violation of Utah administrative rules, does not meet industry operational standards governing EMS staffing requirements, maintenance and inventory requirements, and ambulance response times, and, in addition to the aforementioned questionable financial solvency, is “likely unable to continue providing quality ambulance services that St. George deserves and requires in the future.<sup>2</sup>” If this lengthy process had not been initiated by the application of Gold Cross, what action would the State have taken of its own accord to discover and address these serious issues and when?

Appearing, as it does to the City, that the State has established protocols for the correction of deficiencies of the various EMS license holders, and that the state has failed in its oversight of DAS to uncover the various serious deficiencies cited by Hearing Officer Miller in the Recommended Order, the City believes it would be appropriate for the state to allow DAS a short period of time to correct the deficiencies before taking the drastic measure of taking away the license and granting it to another provider. As cited by Hearing Officer Miller in the Recommended Order, the citizens that attended the public comment hearing held on December 3, 2012, were vocal in their support of DAS. While the public did not address the statutory requirements for an EMS provider per se, nor does it appear that they were aware of any of the deficiencies discovered through the application process, those comments should not go unconsidered.

On another note, during the application process there has been conflicting testimony regarding dispatch services, and thus response times for DAS. The City stands by the data produced by the City’s 911 dispatch personnel and the determination of the hearing officer as to the credibility, or lack thereof, of the testimony and evidence provided by DAS, Gold Cross, and any other representatives of licensed EMS providers. The evidence shows that the City provides efficient, professional, and timely dispatch services. The City believes that the technology is available for DAS to correct any deficiencies in response times should DAS invest in such technology.

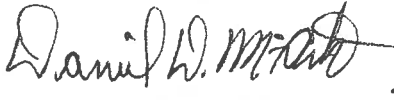
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<sup>1</sup> Order Summary, paragraph (2)(c).

<sup>2</sup> Order Summary paragraph (2)(a-d).

In summary, the City believes that the Recommended Order brings to light several serious deficiencies on the part of DAS that need to be corrected immediately, but also reveals a lack of oversight and enforcement by the State BEMS in inspecting and informing DAS of these deficiencies and allowing time for DAS to correct them. The Order also indicates that should DAS management reduce the level of profit that it draws out of the company, it may have the resources to correct the deficiencies. The City requests that the State BEMS allow DAS an appropriate amount of time to correct any deficiencies and to come into compliance with statutory requirements.

Sincerely,




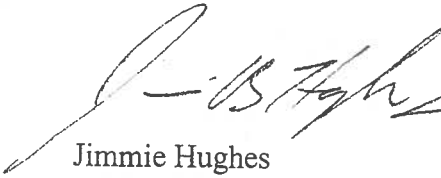
Daniel D. McArthur  
Mayor, City of St. George



Gil Almquist  
City Council Member



Gail Bunker  
City Council Member



Jimmie Hughes  
City Council Member

Ben Nickle  
City Council Member



Jon Pike  
City Council Member