Ambulance companies battle over North Medical Center turf

By Marnie Eisenstadt
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The Northern Onondaga Volunteer Ambulance Inc. station is at 4425 Buckley Road in Clay. The ambulance service added a new rig and hired additional staff to serve the North Medical Center, after taking over from the North Area Volunteer Ambulance Corps. Clay, NY -- The southwest corner at the intersection of Taft and Buckley roads in Clay is unremarkable in the suburban sprawl: a gas station and a medical center. But the spot is a gold mine for the ambulances that pass by at least three times a day. They are on their way to North Medical Center, a 300,000-patients-a-year profit center of people who might need an ambulance.

Every call to that corner is money. It averages 1,300 calls a year, worth more than $500,000 to the ambulance company that serves it.

For more than 30 years, there was no question about who that was: North Area Volunteer Ambulance Corps. But in 2006, the Northern Onondaga Volunteer Ambulance company discovered the corner has been its territory all along.

Like most of the 17 ambulance companies in Onondaga County, both have the word “volunteer” in their names and are nonprofits. When they started more than three decades ago, they ran on donations of time and money. But state training mandates and a shrinking pool of volunteers have forced these organizations to act as businesses. Paid crews ride their ambulances, and the companies worry about money.

So the $500,000 in billing that’s at stake has led to a battle between the companies, winding its way through courts and review boards, forcing friends to take sides against each other.

Some emergency workers run on calls for both companies.

The issue is on a judge’s desk at the state Department of Health. His decision, not expected until December, has to be accepted by a state council. And, even then, it could continue to drag on if either side appeals to a court.

No one is disputing that the North Med corner is in NOVA’s area. NAVAC’s bosses admit they have been aware of it for years.

"I certainly can’t say, 'No, we didn't know that,'” said Chris Bitner, executive director of NAVAC. “This system didn’t care.”
The North Medical Center, 5100 W. Taft Road in Clay, is the subject of a turf battle between Northern Onondaga Volunteer Ambulance Inc. and North Area Volunteer Ambulance Corps. The medical office building needs an ambulance 1,300 times a year, which amounts to more than $500,000. NAVAC members told a hearing officer that the company began serving North Med in its earliest form going back to 1971. The medical center was a sliver of what it is today, but too big for an embryonic NOVA to handle, NAVAC members said. NOVA has been around, first as Moyers Corners Ambulance Co., since the 1970s. But it has always been much smaller than NAVAC, which began in 1970 in the basement of the North Syracuse police station.

All ambulance companies are responsible for specific areas that the state outlines in something called a “certificate of need.” NOVA always had a certificate that said it served the town of Clay. NAVAC’s territory is the North Syracuse Central School District. Where the two overlap, both can respond. For years, NOVA, the smaller of the two, assumed that the North Med corner was in one of those overlaps.

In the late summer of 2006, Russ Ziskind, NOVA’s president, began hearing rumors that North Med was theirs alone. The board pulled out maps and looked.

“There it was, staring at us in the face from maps with lines on them,” Ziskind said.

One shrinks, the other grows

NOVA contacted NAVAC for a sit-down, which didn’t go well, according to both. Ziskind wouldn’t talk about it. NAVAC’s Bitner said the meeting went like this: You’re wrong. We’re right. Agree that you’re doing something illegal. NAVAC, he said, wasn’t about to do that. Both sides left the table with no agreement and some hard feelings.

About two weeks later, Bitner heard from the state Department of Health about a complaint. In the face of losing a third of its income, NAVAC asked the state to expand its area by adding North Med and some less lucrative areas that it had been serving for decades. The state did, saying NAVAC had been handling that area continuously.

NOVA and the Brewerton Volunteer Fire Department Ambulance, which also lost some territory, sued the state to have the decision reversed. A state Supreme Court judge said the state had no right to expand the territory, and gave NOVA the corner in May 2008.

In July 2008, the county 911 Center made NOVA the first call for help at North Med.

NAVAC wasn’t about to give up. It asked the Regional EMS Council to expand NAVAC’s area. That request was turned down, 17 to 4, in January. That’s what is on appeal with the state Department of Health.

View North Medical Center in a larger map
Before NAVAC lost North Med, it had built itself a $2 million-a-year operation. It went on 6,700 calls annually.

“For 35 years, no one wanted to serve that place. It was a nuisance,” Bitner said of North Med. At first, it struggled to find volunteers to take those calls. But NAVAC grew with North Med. Shortly before NOVA staked its claim, NAVAC bought a fifth ambulance and added a fourth paid crew during the day.

The dayside calls to North Med subsidized an extra ambulance at night, too. That rig was often called to neighboring territories. It’s gone now. All of the shifts have lost one ambulance and crew. The 32 paid employees saw their overtime cut, slashing their overall pay by a third, Bitner said.

As one company shrank, the other grew. When NOVA got North Med, it bought a new ambulance for $140,000 and a new car. It has added another shift and a half. It added 20 paid staffers, taking that number to almost 50 part-time people. And the company whose budget was around $60,000 20 years ago is now $1.5 million. Its calls went from 2,740 in 2007 to a projected 5,400 in 2009.

** Fallout from a money fight

Bitner does not think the North Med change caused any harm to the public. Ambulance response times haven’t suffered. Neither the county’s EMS bureau nor 911 center have heard complaints about service. NOVA says service to North Med and the rest of its territory has improved.

The head of North Med, the building at the center of the dispute, would rather be covered by NAVAC. Dr. A. John Merola said he raised money to help the ambulance company get out of its old garage and into a new building. He has had a medical office in that area of Clay since 1971 and has always been served by NAVAC. “They’ve been a community centerpiece. So I guess it’s pretty hard for us that somebody comes in and treads on their territory,” Merola said.

And it’s hard on the emergency services community when two of their own are fighting over territory and money in public for three years.

At that January public hearing, Al Kalfass warned both sides that their fight has the potential to fracture the EMS community.

“We’re sitting here arguing about money and everybody knows it,” Kalfass said during the hearing. He used to work for both agencies and is now with WAVES, a Camillus nonprofit ambulance company. “This does not help the EMS system and it does not help the nonprofit agencies trust each other.”

Kalfass thought NAVAC was entitled to keep North Med, but more than that, he wanted to see some kind of leader force the two agencies to work it out.

Lon Fricano, a member of the Regional EMS Council who voted against letting NAVAC keep North Med, said he asked the two sides to work it out. He thinks NOVA has rightfully claimed what’s theirs, but he hates to see the fighting continue.

Fricano said the dispute is the result of a system of patchwork agreements that is being forced to evolve as ambulance companies modernize and take on more paid staff.

“I think it’s important that there’s peace in the family,” Fricano said.

--Marnie Eisenstadt can be reached at meisenstadt@syracuse.com or 470-2246.