Board that oversees ambulance service has little real power

By Matthew Spina

News Staff Reporter

Published: March 4, 2012, 12:00 AM

By some accounts, Buffalo’s Emergency Medical Services Board lacks the teeth to demand a higher level of ambulance service in the city.

“We really didn’t have any regulatory or punitive action that we could take,” said Dr. Joseph Takats, an emergency physician who also serves as medical director for Twin City Ambulance.

Takats occupied a seat on the “ambulance board” for several years before he stopped going to meetings in 2009.

“I don’t know that there was any real action that was ever taken to change things or to exercise any sanctions against the ambulance company,” he said. “It was mostly a review, and the review was duly noted and tucked into the minutes. We were told at different times . . . that we had no regulatory capability.”

Takats said he would question, for example, why ambulance contractor Rural/Metro Medical Services seemed to provide so few units from roughly midnight to 7 a.m. when it had once agreed to run seven rigs in the city at all times.

But the board could not levy fines if it felt Rural/Metro failed to meet terms of the 2005 pact making it Buffalo’s emergency ambulance service.

The board’s real clout would have been to threaten to terminate the contract for repeated violations—which has not been the case—or to recommend that Mayor Byron W. Brown not grant Rural/Metro two more years on its five-year agreement—another drastic act. The ambulance board recommended the extension in 2010.

Under the City Charter, the ambulance board could have as many as 10 members, appointed by the mayor. Over the last couple of years, four or five typically attended meetings on the first Thursday of each month in City Hall, according to the minutes from those sessions.
The minutes indicate that members occasionally raise concerns when Rural/Metro over the prior month seemed to arrive late at large numbers of calls, and they would comment on other aspects of Rural/Metro’s performance.

For the most part, the panel accepts the service Rural/Metro provides the region’s largest city, which generates some 34,000 emergency calls a year.

“None of us perform to 100 percent,” said the board’s chairman, Fire Commissioner Garnell W. Whitfield Jr. “But if you are asking me, are patients receiving the care that they need in the City of Buffalo, I believe they are. There are no negative outcomes in terms of patient care that I am aware of . . . That’s what we care about.”

Rural/Metro’s pact with City Hall requires it to report, among other things, its total billings every three months. Rural/Metro does not provide such data.

If armed with figures showing Rural/Metro reaping fine profits in Buffalo, would the ambulance board use that to request more ambulances?

Probably not in part because of the give and take between the ambulance board and Rural/Metro. For example, while Rural/Metro first agreed to always run at least seven advanced-life-support ambulances in Buffalo, it will have as many as 15 or 16 during peak times and be given the liberty to sometimes run two or three.

“The contract calls for seven ambulances. It is not based on how much money they make,” Whitfield said. “If we stick to the contract, what if they say, ‘OK, you are going to get seven cars, that’s all you get, that’s all we are obliged to give you. We will meet that 100 percent of the time. But you are not going to get the 15, 16, 17 cars that we run at peak times.’

“How would that be for residents of the community?”

The Rev. Joe Bayne, a Buffalo Fire Department chaplain and executive director of the Franciscan Center, a youth haven in South Buffalo, resigned from the ambulance board in 2006, the year after Rural/Metro and City Hall signed the agreement.

“I left the board because I think some of us brought things up, and some of the board members didn’t want to challenge any of the powers that be,” Bayne said. “I am not picking on any one provider, because you know we have had over the years La- Salle, Rural/Metro, Twin City, Gold Cross,” he said, listing companies that have operated in Buffalo. “So I am not throwing stones at anybody.

“But I think the board has the role of overseeing emergency medical services for the City of Buffalo, for the citizens. And I just think that at times the board didn’t want to deal with issues.”

Judging by past practice, the ambulance board will recommend to the Common Council which ambulance company should handle Buffalo’s emergency calls come July 1, when Rural/Metro’s
current pact expires. The provider—for a fee to the city—will handle calls and bill patients accordingly. The city could go with someone new or stay with Rural/Metro.

Common Councilman David A. Franczyk wants a robust review of the arrangement.

“A contract like that you just don’t award it with a rubber stamp,” Franczyk said, adding that if the ambulance board’s current members want more regulatory power, he would try to pass legislation giving them more muscle.

“If they think they need more power, they should tell us,” he said.

mspina@buffnews.com

The Board, appointed by the Mayor, rubber stamps whatever Metro says and does. How typical. Why? Because most of its members have no clue how to interpret the contract, or how to enforce the contract. Yes, have a MD on the Board, by all means. In reality, it should be the MD who is part of the EMS system and who issues the standing order for ALS to the Paramedics. Otherwise, what is his purpose? A MD has no clue about dispatching ambulances. Other members should include at least one Paramedic, one EMT, a Rep. from the Fire Dept, Police Dept. air assets (chopper), one or all the hospitals which receive patients and perhaps a member of the community. Now you have a Board. Monthly, they should review response times, locations and plan how to stage their vehicles, as well as how many. There is no need to talk about fines already as the Board has never made any demands of Metro. If Metro were to fail meeting the specification requirements of their contract, the time has come to fore Metros compliance with fines. But remember, they are the sole bidder (and provider) of all EMS services in Buffalo. This said, it all boils down to honest and fair negotiations.

Metro knows that they are the only game in town and act accordingly. They must be given to understand that, if need be, the City is prepared to bring another EMS company to Buffalo. Otherwise, they will continue to offer the least they need to offer, for the most profit available. I wish the Mayor would restructure the Board with individuals who care and who are knowledgeable in EMS. Most paramedics know exactly what is needed, but being employed by Metro, they will not dare to speak up, in fear of losing their jobs.

HAROLD HAHN, BUFFALO, NY ON Sun Mar 4, 2012 at 04:50 PM

• FLAG AS INAPPROPRIATE

Reaping fine profits?! Mr. Spina, my 11 year old son does better research than this. You are almost as unqualified to do your job as the man who's political agenda your toting. Rural Metro does its best to work WITH the control board, to offer the best service to the City of Buffalo within a system that is terribly, undeniably broken. The EMS model in the city MUST be
dynamic - and we are blessed that the board is open to working with us. This is for the benefit of the people we care for - not the company. Again, I urge you to watch the youtube video, "Detroit EMS". You will appreciate what we are doing here.

DENISE CUILLO, BLASDELL, NY ON Sun Mar 4, 2012 at 03:23 PM