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OFFICE OF THE CITY CLERK  
OAKLAND

2019 JUN 20 PM 4:52

## AGENDA REPORT

**TO:** Sabrina Landreth  
City Administrator

**FROM:** Darin White  
Fire Chief

**SUBJECT:** First Responder Advanced Life  
Support Agreement (FRALS)

**DATE:** June 19, 2019

Approval

Date:

6/20/19

### RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter into A First Responder Advanced Life Support (FRALS) Services Agreement (Agreement) With Alameda County Emergency Medical Services Agency (Alameda County) For The Term of July 1, 2019 To June 30, 2024.**

### EXECUTIVE SUMMARY

The City of Oakland Fire Department (OFD) is under an agreement, which expires June 30, 2019 with Alameda County to provide First Responder Advanced Life Support Agreement Services (FRALS) to patients until the patient is transferred to the care of paramedics or a medical physician of competent authority in accordance with County policy has occurred.

Alameda County is exercising its authority under state law and is requiring that the City execute a FRALS agreement with the County to continue to deliver paramedic services to the residents and visitors of Oakland. A Resolution has been prepared authorizing the City Administrator to execute a First Responder Advanced Life Support Services Agreement with the County for Fiscal Year (FY) 2019 through FY 2024.

### BACKGROUND / LEGISLATIVE HISTORY

Alameda County is designated as the Local Emergency Medical Services Agency (LEMSA) and by State law is responsible for establishing policies and procedures for the approval and designation of paramedic service providers within its jurisdiction.

The City entered into the most recent FRALS Agreement with Alameda County in 2011 for five (5) years with three (3) one-year extensions. The final extension expires June 30, 2019. During this time, the Oakland Fire Department staffed engine companies with paramedic level service to provide advanced life support care to patients in Oakland.

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Previously, FRALS provided payments to county and city fire departments to partially offset their costs of first responder advanced life support services within the Emergency Medical Services (EMS) system. The County EMS Agency determined it could no longer require the FRALS payments from the contracted ambulance provider since it would negatively impact the financial stability of the ambulance provider. The City did not receive FRALS payments during the second extension from July 1, 2018 to June 30, 2019.

In FY 2019-20, the City will no longer receive payments totaling approximately one million two hundred thousand dollars (\$1,200,000.00) for providing advanced life support (i.e. paramedic care) to the residents of Oakland and will assume four hundred and thirty-seven thousand seven hundred fifty dollars (\$437,750.00) in additional expenses for medical supplies, pharmaceuticals and equipment previously covered by Paramedics Plus.

The City can continue to provide FRALS services, as long as it is recognized as an Advanced Life Support (ALS) provider agency by the Alameda County.

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## **ANALYSIS AND POLICY ALTERNATIVES**

### ***FRALS Performance Standards***

The Agreement requires that OFD meet specific response performance criteria. For example, an OFD paramedic unit must arrive on the scene of a medical emergency within eight (8) minutes and thirty (30) seconds, ninety percent (90%) of the time, from the time the 9-1-1 call is received at the Fire Department Dispatch Center. There are no financial penalties in the Agreement, however, OFD is required to develop a remedy for any performance not meeting this requirement. Willful failure by the City to provide services under the FRALS Agreement outside of substantial compliance with the requirements of applicable Federal, State, and County of Alameda laws, rules, and regulations, results in the City being found in material breach of the Agreement.

OFD has consistently met the response time requirements of past Agreements and based on response trends and planned staffing and staging locations, this trend should continue. The Agreement also requires that staff maintain required licenses and certifications. The Department consistently provides the necessary training to meet this requirement and will continue to do so, provided the necessary funding is received for emergency medical care. The Department also agrees to follow all medical policies as defined in Alameda County EMS policy manuals.

The options available to the City, and their potential impacts are further detailed in the sections that follow:

### ***Option 1: Sign the Agreement***

Signing the Amendment would coincide with OFD being authorized to continue to provide paramedic services to the residents and visitors of the City.

**Option 2: Do Not Sign the Agreement**

The City can let the current FRALS Agreement expire on June 30, 2019. As a result, the Fire Department will be prohibited from providing paramedic services to the community. Paramedic services includes establishing intravenous and intraosseous (bone) fluid lines, administration of several types of emergency medications, certain electrical treatments for cardiac conditions (cardioversion, etc.), and the establishment of advanced airways (endotracheal intubation). The loss of these advanced life support services would have an adverse impact on patients receiving emergency medical care within the City of Oakland. Specifically, OFD Firefighter-Paramedics could not provide care which falls under the scope of practice of a Paramedic and would be limited to providing EMT (or basic life support) level care. As is often the case, Firefighters arrive first on scene to administer care. Therefore, if this option were exercised a patient requiring Advanced Life Support (ALS) services may experience delays in receiving medically necessary care. In emergency medical care, every second counts, and such delays could lead to adverse health outcomes, up to and including the death of the patient.

**FISCAL IMPACT**

Previously, the FRALS agreement entitled the City to a reimbursement of approximately one million two hundred thousand dollars (\$1,200,000) for providing advanced life support (i.e., paramedic care) to residents and visitors of Oakland:

**Table 1. FRALS Reimbursements FY 2011-12 through FY 2018-19**

CONTRACT PERIOD	COL A	AMOUNT PER FRALS UNIT	MAXIMUM NUMBER OF FRALS UNITS	ACTUAL NUMBER OF FRALS UNITS	QUARTERLY REIMBURSEMENT RATE	FISCAL YEAR	REVENUE RECEIVED BY FISCAL YEAR
11/1/2011 - 10/31/2012 (Year 1)	0%	\$42,893.16	26	26	\$278,805.54	2011-12	\$875,350.82
11/1/2012 - 10/31/2013 (Year 2)	2%	\$43,751.02	27	27	\$295,319.39	2012-13	\$1,148,950.26
11/1/2013 - 10/31/2014 (Year 3)	2%	\$44,626.04	27	27	\$301,225.77	2013-14	\$1,148,901.78
11/1/2014 - 10/31/2015 (Year 4)	2%	\$45,518.56	27	27	\$307,250.28	2014-15	\$1,171,879.80
11/1/2015 - 10/31/2016 (Year 5)	2%	\$46,428.94	27	27	\$313,395.35	2015-16	\$1,396,509.58
11/1/2016 - 10/31/2017 (1st Extension)	2%	\$47,357.52	27	26	\$307,823.88	2016-17	\$1,254,819.50
11/1/2017 - 6/30/2018 (2nd Extension)	0%	\$47,358.00	27	26	\$307,827.00	2017-18	\$1,216,141.02
7/1/2018 - 6/30/2019 (3rd Extension)	0%	\$0.00	27	26	0	2018-19	\$0.00

The FRALS reimbursement ended June 30, 2018. Staff estimates a projected remaining fund balance of approximately two million eight hundred and fifty-four thousand dollars (\$2,854,000.00) at the beginning of FY 2019-22. This fund balance is obligated against

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personnel and radio project costs, and is one-time in nature. The FY 2019-21 Budget resolution note that these one-time funds are being used to sustain ongoing services and that in the future alternate funding sources will need to be used. The annual shortfall of one million two hundred thousand dollars (\$1,200,000.00) due to the elimination of the FRALS reimbursement has significantly constrained OFD's ability to sustain and improve emergency medical services. In addition to the elimination of the FRALS reimbursement Alameda County is also shifting roughly \$437,000 in annual costs to the City for the provision of for medical supplies, pharmaceuticals and equipment.

### **PUBLIC OUTREACH/INTEREST**

No public outreach was conducted beyond the posting of this report to the City's website.

### **COORDINATION**

The City Attorney's Office was contacted to review and provide comments on this report and the Council Resolution. Their recommendations have been incorporated and are reflected in the aforementioned documents.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic benefits from this action.

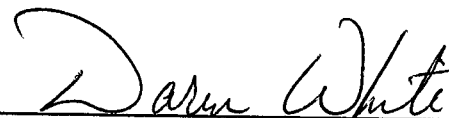
**Environmental:** There are no environmental impacts associated with this report.

**Social Equity:** OFD serves all citizens of Oakland in times of crisis.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council Adopt a Resolution Authorizing the City Administrator to Enter into a First Responder Advanced Life Support (FRALS) Agreement with the Alameda County Emergency Medical Services Agency for the term of July 1, 2019 to June 30, 2024.

Respectfully submitted,

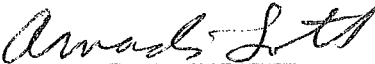


Darin White  
Fire Chief

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Approved as to Form and Legality

  
City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A FIRST RESPONDER ADVANCED LIFE SUPPORT (FRALS) SERVICES AGREEMENT (AGREEMENT) WITH THE ALAMEDA COUNTY EMERGENCY MEDICAL SERVICES AGENCY (COUNTY) TO PROVIDE PARAMEDIC SERVICES FOR THE TERM OF JULY 1, 2019 TO JUNE 30, 2024**

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**WHEREAS**, the City of Oakland (City) Fire Department (OFD) is under an agreement which expires on June 30, 2019, with the Alameda County Emergency Medical Services Agency (County) to provide first responder services to patients until transfer of the patient care to arriving ambulance personnel or a medical physician of competent authority in accordance with County policy and state law; and

**WHEREAS**, the County has prepared a First Responder Advanced Life Support (FRALS) Services Agreement (Agreement) with the City; and

**WHEREAS**, pursuant to state law, the County requires that the City enter into an agreement with the County for the City to continue to deliver paramedic services to the residents and guests of Oakland; and

**WHEREAS**, also pursuant to state law, Alameda County is designated as the Local Emergency Medical Services Agency (LEMSA) and is responsible for establishing policies and procedures for the approval and designation of paramedic service providers within its jurisdiction; and

**WHEREAS**, also pursuant to state law, the County established an Emergency Medical Services Agency and enters into agreements with various Emergency Medical Services (EMS) providers, both public and private, to assure the availability of emergency medical response and transportation services in the County; and

**WHEREAS**, state law authorizes the Alameda County EMS Agency to require that an agreement be established between it and the City of Oakland in order for City to provide paramedic services; and

**WHEREAS**, OFD implemented engine company paramedic services in the City of Oakland as part of the integrated county-wide system of EMS delivery in 2000; and

**WHEREAS**, Oakland City Charter Article V, Section 504(l) requires City Council approval of the proposed FRALS agreement because it is an intergovernmental agreement; and

**WHEREAS**, on September 20, 2011 City Council approved Resolution No. 83558 C.M.S. authorizing the City Administrator to enter into the current FRALS agreement with the County for the period of November 1, 2011 through October 31, 2016 (as well as authority to extend the agreement through 2021), and to appropriate payment anticipated to be one million one hundred and fifteen thousand two hundred and twenty-two dollars in the first year to the Oakland Fire Department, with a two percent (2%) increase per year for the term of the agreement; and

**WHEREAS**, OFD provides ongoing training opportunities, provides EMS equipment and supplies, and recruits firefighter/paramedics to maintain the paramedic program; and

**WHEREAS**, when the current FRALS agreement was last extended in 2018, due to changes in patient coverage and payment processing under Medicare and Medical insurance, the County required an amendment in the agreement removing reimbursement payments to the City for costs in providing paramedic services; and

**WHEREAS**, starting July 2018, the City ceased receiving reimbursement payments for its paramedic service costs from the County; and

**WHEREAS**, in Fiscal Year 2019-2020 the City will not receive payments totaling approximately one million two hundred thousand dollars (\$1,200,000.00) for providing advanced life support (i.e. paramedic care) to the residents of Oakland, and will assume four hundred and thirty-seven thousand seven hundred fifty dollars (\$437,750.00) in additional expenses for medical supplies, pharmaceuticals and equipment previously covered by Paramedics Plus, the ambulance company provider contracting with the County; and

**WHEREAS**, the City can continue to provide FRALS services as long as it is recognized as an Advanced Life Support (ALS) provider agency by the County; now, therefore, be it

**RESOLVED**, that the City Administrator is authorized to execute a First Responder Advanced Life Support (FRALS) agreement with the Alameda County Emergency Medical Services Agency to provide paramedic services for the term of July 1, 2019 to June 30, 2024; and it be

**FURTHER RESOLVED**, that all contracts issued hereunder shall be reviewed and approved by the office of the City Attorney for form and legality and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

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ATTEST:

LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California