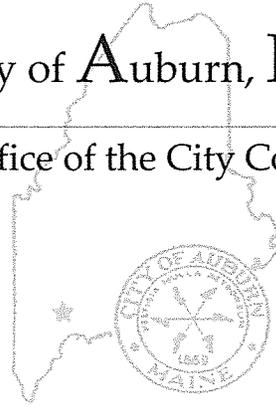


City of Auburn, Maine

Office of the City Council



October 6, 2014

Paul Gosselin
Executive Director
United Ambulance Service
192 Russell Street
Lewiston, ME 04240

Susan Keiler
Chief Operating Officer
St. Mary's Regional Medical Center
93 Campus Avenue
Lewiston, ME 04240

Tina Legere
President
Central Maine Medical Center
300 Main Street
Lewiston, ME 04240

Dear Paul, Susan and Tina:

The Auburn City Council has reviewed Paul Gosselin's September 16 correspondence to Auburn City Manager Clint Deschene, and has unanimously voted to communicate its strong opposition to United Ambulance Service's refusal to transfer calls for emergency medical services (EMS) in the City of Auburn to LA 9-1-1. Despite Paul's suggestion that this position is motivated by concerns related to patient care, the City believes that UAS's refusal to transfer EMS calls within the City of Auburn to 9-1-1 presents a substantial threat to public safety and patient care in the City of Auburn. We request that you meet with representatives of the City as soon as possible to discuss these concerns.

When the Auburn Fire Department's EMS transport service is launched within the next several weeks, at the direction of the Auburn City Council, the Auburn Fire Department will be responsible for providing EMS transport service within the City of Auburn. For this reason, the City has requested UAS to channel all Auburn EMS calls through LA 9-1-1 so that these calls will be routed according to protocols determined by the Auburn Fire Department. L-A 9-1-1 is the established Public Safety Answering Point (PSAP) for the City of Auburn under Maine law. The protocols will provide that EMS calls within the City of Auburn are to be dispatched for emergency response by the Auburn Fire Department, unless Auburn Fire

Department ambulances are committed to other responses. If Auburn Fire Department ambulances are committed to other responses, then LA 911 will dispatch those calls for response by UAS or another EMS provider.¹

UAS's refusal to route Auburn EMS calls to LA 9-1-1 creates significant risks to public health and safety. Under current practice, UAS forwards all emergency medical calls received through UAS's 10-digit number to LA 9-1-1, so that LA 9-1-1 can process the calls and also dispatch the Auburn Fire Department for non-transporting emergency response. In many cases, Auburn Fire Department paramedics currently are the first emergency medical responders on the scene, as they often arrive before UAS vehicles and immediately begin to initiate medical assistance.

The City understands that UAS will no longer be forwarding emergency medical calls within the City of Auburn to LA 9-1-1, in order to prevent the City of Auburn from dispatching its own EMS responders to the scene. This break from current practice will prevent the Auburn Fire Department from responding to many calls that it currently sends first responders to. The inevitable result will be a decline in the effectiveness and timeliness of the emergency response. This will have a negative impact on public safety and patient care.

The City also understands that UAS is actively promoting its own 10-digit telephone number as an emergency number in order to prevent these emergency medical calls from going through LA 9-1-1 and being dispatched to the Auburn Fire Department for response. On the UAS website and in UAS advertisements, a UAS 10-digit number is listed before 9-1-1 as the proper emergency number to use. The City believes this practice is irresponsible and inconsistent with the federal Wireless Communications and Public Safety Act of 1999, which formally acknowledged 9-1-1 as the universal emergency telephone number for wireless and 'wireline' telephones across the United States. This practice also is contrary to Maine law, which states, "The primary telephone number to be used in a telephone exchange to request emergency services following the activation of E-9-1-1 services for that exchange, including the number for telecommunications devices for communication for the deaf, hard-of-hearing and speech-impaired, is 9-1-1." 25 M.R.S. §2932.

UAS's actions in promoting and using its own 10-digit number as an emergency number compromise public safety because a caller who calls a ten-digit number unknowingly forfeits his or her right to be found and possibly saved. Calls to 9-1-1 carry with them vital location information that displays the caller's telephone number, name, and either the location of a cellular device from which the call generated or the physical address associated with a 'wireline' (a traditional phone plugged into a phone jack). That embedded information is only delivered to designated 9-1-1 Public Safety Answering Points, of which there are 26 in Maine, including LA 9-1-1. Because UAS is not one of the 26 PSAP's in Maine, that vital location

¹Maine law specifically grants municipalities authority to operate a public ambulance service to provide emergency medical services to its residents. 30-A M.R.S. §5725 ("A municipality may raise or appropriate money to...[p]rovide for public ambulances and garages for them, or support an ambulance service serving its residents"); see Ace Ambulance Service, Inc. v. City of Augusta, 337 A.2d 661, 664 (Me. 1975) ("furnishing of ambulance service is a proper public purpose," and "in view of its critical nature and the uncertainties of the future, municipalities [are] free to decide whether their particular circumstances make it appropriate for them to assume a responsibility for furnishing it.") Consistent with this statute, the City of Auburn has provided by ordinance that its "fire department or its designee shall be responsible for providing emergency medical services" within the City of Auburn. Auburn Code of Ordinances, at §20-31. In regard to Paul's assertion that the City's decision to use its own Fire Department to provide EMS response within the City of Auburn would represent an unlawful restraint of trade, the City understands that similar claims have been rejected by courts in other jurisdictions. The City also believes that there is no basis for Paul's assertion that Medicare patients are entitled to a free choice of EMS providers when placing emergency calls.

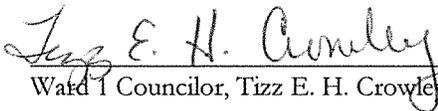
information is not delivered to or received by UAS call takers when callers dial the ten-digit number promoted by UAS.

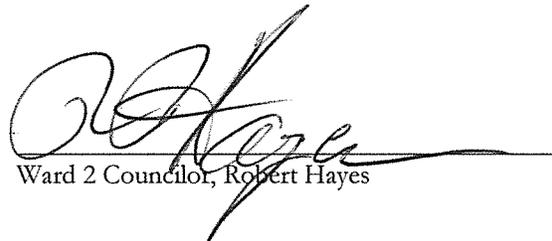
It is common that individuals placing calls for emergency medical response become increasingly incapacitated as they decide whether or not to call for assistance. As they come to terms with the idea that they are indeed in distress, a person who has been advised to call a ten-digit number may misdial that number (which is the very reason that a simple three-digit number was created in the first place) and once answered be incapable of verbally communicating. Victims suffering from strokes, heart attacks, seizures and asthma often are unable to speak, and patients with memory-based disorders often are unable to remember their current address. In addition, callers who use someone's pre-programmed 'emergency' speed dial button may not know their exact address. Simply put, callers to the UAS-promoted 10-digit number are far less likely to be located and saved than callers to 9-1-1.

Despite UAS's claims that its actions are motivated by patient care concerns, the exact opposite is true. By refusing to channel EMS calls within the City of Auburn to 9-1-1 to allow the Auburn Fire Department to respond to those calls, and by actively promoting a 10-digit telephone number as an emergency number in order to encourage residents to bypass 9-1-1, UAS is threatening both patient care and public safety. This is especially troubling because UAS is a non-profit corporation that is exempt from taxation under state, federal and local law. The actions of UAS are not consistent with the values that the public has the right to expect from a tax-exempt charitable organization.

The City of Auburn is hopeful that UAS, and the hospitals that control it, will reconsider these ill-advised actions and work cooperatively with the City to ensure and protect the public safety of the citizens of Auburn. The City requests that the three of you meet as soon as possible with City representatives, including City Manager Deschene and Fire Chief Frank Roma, to address these critically important concerns.

Sincerely,

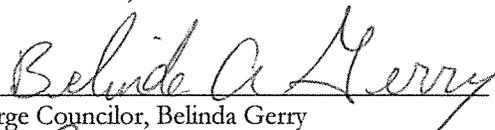

Ward 1 Councilor, Tizz E. H. Crowley

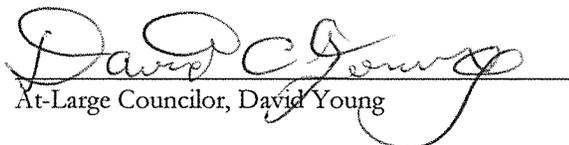

Ward 2 Councilor, Robert Hayes

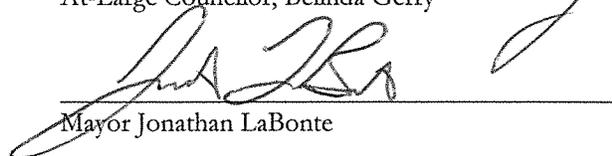
Ward 3 Councilor, Mary LaFontaine

Ward 4 Councilor, Adam Lee

Ward 5 Councilor, Leroy Walker


At-Large Councilor, Belinda Gerry


At-Large Councilor, David Young


Mayor Jonathan LaBonte

cc: Joanne LeBrun, Tri County EMS Coordinator
Maine Emergency Services Communications Bureau
Commission on Accreditation of Ambulance Services