

**FINDINGS OF FACT AND ORDER
REGARDING ARROW AMBULANCE LLC
LICENSE APPLICATION**

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Following receipt of an Application from Arrow Ambulance LLC, the City of Decatur published notice of a public hearing on said Application. Such notice was published at least ten (10) days prior to the public hearing date of August 16, 2018. A public hearing was held at Decatur Civic Center No. 1, Gary K. Anderson Plaza, Decatur, Illinois on August 16, 2018, beginning at 5:00 p.m.

The following persons testified at the public hearing: (1) City of Decatur Assistant Corporation Counsel, Amy Waks; (2) Larry Sapp, Director, Arrow Ambulance LLC; (3) Dr. Michael Smith, Medical Director Carle Regional EMS; (4) Lynne Barnes, Chief Operating Officer at Carle Health Systems; (5) Gerry Demirjian, citizen; (6) Dr. Ted Clark, Emergency Medical Director, Decatur Memorial Hospital; (7) Tara Peasley, Emergency Room Director, Decatur Memorial Hospital; (8) Dr. Oliver Dold, Neurosurgeon at Decatur Memorial Hospital; (9) Laurie Brown, executive director Hickory Point Christian Village; and (10) Jerrime Hiser, business agent for Teamster Local 916.

Chapter 53 of the Decatur City Code provides that no person, firm or corporation shall engage in the operation of an ambulance service within the City of Decatur without having a valid City license for such service. The Code further provides that a public hearing shall be held on an Application to engage in the operation of an ambulance service. The Hearing Officer is tasked with preparing a report in writing of findings and conclusions with regard to the Application, which report shall specifically state findings as to:

- (a) Whether or not the public is at the time, reasonably adequately served;
- (b) Whether or not convenience and necessity require the proposed service;
- (c) Whether or not the proposed service, location, personnel, equipment, vehicles and operation comply with the provisions of Chapter 53; and
- (d) Whether or not the license applied for should be granted.

Chapter 53 further provides any party aggrieved by the conclusions of the Hearing Officer as to whether or not a license should be granted may, within ten (10) days from the date the Hearing Officer's report is filed with the Clerk, file a request with the Clerk for City Council review of said report.

Ms. Amy Waks, Assistant Corporation Counsel for the City of Decatur, introduced Exhibits 1, 2 and 3 being respectively, designation of Steven D. Mahrt as Hearing Officer, certification of newspaper publication of Public Hearing and the Application of Arrow Ambulance LLC. Such Exhibits were admitted and form part of the record in this matter.

FINDINGS OF FACT

1. Whether or not the public is currently reasonably adequately served.

Gerry Demijian, operator of a local plant in the City of Decatur, at 2120 North 22nd Street, testified that there is a need for additional emergency medical transportation services within the City of Decatur and he supports the Application.

Ted Clark, the Emergency Medical Director at Decatur Memorial Hospital, testified that the City of Decatur is currently underserved for emergency medical transit. Dr. Clark testified that there has been a 12% increase in the number of critically injured patients transported at Decatur Memorial Hospital. He further testified that there is sometimes a delay in the availability of emergency medical transport vehicles. This delay creates a danger to the patient. He further testified that the delay also makes it difficult to recruit emergency room medical physicians if the community is not meeting national transportation standards. He stated that the national standard is two (2) hours between the incident and stabilization, however, he says the current emergency medical transportation services sometimes takes three to four hours from incident to stabilization.

Tara Peasley, Emergency Room Director at Decatur Memorial Hospital testified that she has witnessed a decline in ambulance coverage within the community and that time of transport is very important to a patient's health. She said that Decatur Memorial Hospital has witnessed a 13% increase in critical transport and that of the 45 critically injured patients transferred to other trauma centers, 62% experienced a delay due to ambulance coverage. Ms. Peasley also testified that Decatur has an aging population and transport is critical for this age group. She said the current service is spread too thin, covering fifteen more square miles than other regional ambulance services.

Dr. Oliver Dold testified that every minute is important in transportation of stroke patients in order to minimize damage or death to the patient.

The testimony received at the public hearing indicates that the City of Decatur is not reasonably adequately served with the current emergency medical transportation services. The testimony indicated that the public is currently under served. The demand for services has increased 12%-13% within the last year. Delays in transport have an adverse impact on the quality of patient care. Critically injured patients should be transported and stabilized within two (2) hours, however, some patients are experiencing a 3-4 hour transport and stabilization time period based on current service. Testimony also indicated that there is a "big need for additional services" in both emergency and non-emergency transport for seniors and aging adults. Additional testimony indicated that of the 45 trauma patients transferred from Decatur Memorial Hospital to a Level 1 Trauma Center, at least 62% had a delay due to ambulance coverage.

2. Whether convenience and necessity require the proposed service.

Larry Sapp, Director of Arrow Ambulance LLC testified that Arrow Ambulance employs 120 employees with 118 being paramedics and EMTs. He testified that Arrow LLC is a NIMS 100, 200, 700 and 800 class certified organization. He further testified that Arrow employees are being trained in TECC, (technical emergency casualty care). This training focuses on response to a significant community safety event, such as a weather emergency, explosion or mass shooter incident. He testified that Arrow Ambulance operates a communication center 24/7 with an emergency medical dispatch system. All Arrow vehicles are equipped with driver cameras and operate under Carle Regional EMS system. Mr. Sapp further testified that the typical Arrow Ambulance response time is 8-12 minutes and his company will coordinate with the Fire Dept. and the City of Decatur and the current service provider. Arrow Ambulance will also routinely report response times and provide written reports as required by law. Mr. Sapp stated that Arrow Ambulance currently works in other cities that have two ambulance emergency medical services transportation companies or service providers. He stated Arrow Ambulance will work cooperatively with the incumbent operator. The provision of an additional ambulance service will allow patient choice within the community. Arrow Ambulance plans to hire 32 additional EMT/paramedics, three supervisors and one manager to provide service within the City of Decatur.

Dr. Michael Smith, Medical Director at Carle Regional EMS, testified that Carle has two EMS certified medical directors, being himself and Dr. Weir. He stated Carle is committed to making Arrow a world leader in emergency medical service transport.

Lynn Barnes, Chief Operating Officer at Carle Health Systems testified that Carle will provide all of the necessary administrative and financial support to Arrow Ambulance LLC in order to make sure that the service is successful in Decatur.

The testimony of Dr. Ted Clark, Tara Peasley, and Dr. Oliver Dold is incorporated herein from the findings in No. 1 above.

Laurie Brown, executive director Hickory Point Christian Village, testified that emergency medical transportation has been a problem within the last two years. Both emergency transport and regular non-emergency transport has increased during this time. Ms. Brown testified that there is a “big need for additional services.”

Jerrime Hiser, business agent for Teamsters Local 916, testified that introduction of Arrow Ambulance services within the community may result in lower wages to current paramedics working within the community. Mr. Hiser fears that competition will lower the cost of services and undercut the wages and benefits provided to current paramedics.

Testimony supports a finding that convenience and necessity require the proposed service. Factors to consider in determining convenience and necessity include the provision of reliable and efficient service to customers, the prevention of unnecessary duplication of services, the protection of the public from inadequate service, the protection of the public from the high

cost of service, compliance with state and local laws, the capability of the service provider to manage and supervise the operation; whether or not the Applicant has adequate and an efficient means to operate and whether or not the operator has sufficient financial means to operate.

Arrow Ambulance LLC has the financial means and adequate administrative support to operate an ambulance service within the City of Decatur. Ms. Barnes testified that Carle is providing the administrative and financial support necessary in order to make Arrow Ambulance successful in Decatur. Mr. Larry Sapp testified as to the state of Arrow Ambulance, the number of employees, the number of certified paramedics and EMTs. He testified as to the various and multiple certifications and training sessions provided to the employees of Arrow Ambulance. He also stated that Arrow Ambulance plans to hire thirty-two additional EMTs and paramedics, three supervisors and one manager to operate the service within the City of Decatur. Based on this testimony, the Applicant has the means to provide reliable and efficient service to customers in Decatur. Mr. Sapp's letter of August 21, 2018 stated that the Applicant will work cooperatively with the incumbent service to avoid duplication of service. The letter also supports a finding that Applicant will comply with applicable state and local laws.

Other factors supporting issuance of a license include the following: an increase in emergency and non-emergency medical transport, delays in the current service, providing customers a choice in medical transport, no evidence of harm to the public from an additional provider, and compliance with all applicable laws. It is my opinion that the Applicant has shown that convenience and necessity require the provision of an additional ambulance service provider in the City of Decatur. The testimony regarding a diminution in wages and benefits to employees of the incumbent service provider is speculative and not determinative as to a finding of convenience and necessity.

3. Whether the location, personnel, equipment and operation of the Applicant comply with the provisions of Chapter 53 of the City of Decatur Code of Ordinances.

At the hearing the Applicant was asked to supplement the record by providing written responses to the following requirements found in Chapter 53. Mr. Larry Sapp responded by letter dated August 21, 2018. A copy of said letter is attached as Exhibit 4 and incorporated as part of this record. Findings with regard to Chapter 53 specific requirements are as follows:

Requirements of Chapter 53

53-9

1. Are vehicles licensed by Division at Hwy Safety?

Answer: Yes

53-9

2. Are vehicles licensed by Illinois Dept of Public Health (EMS)?

Answer: Yes

53-10

3. Is each vehicle operated by driver and attendant?

Answer: Yes

53-10

4. Are driver and attendant a licensed EMT?

Answer: Yes

53-11

5. Does operator have minimum of four (4) EMTs on duty at all times?

Answer: Yes

53-11

6. Does operator have two (2) additional EMTs on immediate reserve?

Answer: Yes

53-11

7. Are all EMTs affiliated with an EMS resource hospital and approved to function under EMS resource hospital medical director?

Answer: Yes

53-12

8. Will service operate 24/7 with two (2) intensive care units equipped and staffed to perform advanced life support?

Answer: Yes

53-13

9. Will service keep records of:

- (a) Equipment maintenance;
- (b) Calls for service;
- (c) Responses; and
- (d) Personnel.

Answer: Yes

53-14

10. Will operator report any changes in operation to City?

Answer: Yes

53-15

11. Will operator cooperate with other licensed service providers?

Answer: Yes

53-16

12. Will operator respond to calls for service directed to other service provider?

Answer: No

53-17

13. Will operator monitor Police or Fire communications to originate responses for service?

Answer: No

Based on the testimony received at the public hearing and the supplemental letter from Mr. Larry Sapp (Exhibit 4), it is my finding that the Applicant complies with or will comply with the requirements of Chapter 53.

4. Whether a license should be granted.

Based on the foregoing and for other reasons supported in the record, it is my finding and order that Applicant complies with Chapter 53 of the Decatur City Code and a License should be issued by the City of Decatur to Arrow Ambulance LLC for the provision of ambulance services within the City of Decatur. The Applicant shall comply with all representations it made in its application, at the public hearing, and with all applicable state, federal and local laws, regulations and ordinances.

Done this 27th day of August, 2018.


Steven D. Mahrt
Hearing Officer

MEMORANDUM
2018-02

DATE: July 26, 2018
TO: Steven Mahrt
FROM: Billy Tyus, City Manager
RE: Public Hearing for Arrow

Pursuant to Section 6 of Chapter 53 of the City Code, I hereby designate Steven Mahrt as Hearing Officer for the Public Hearing in the City Council Chamber, located on the Third Floor of the Decatur Civic Center, #1 Gary K. Anderson Plaza, Decatur, Illinois, the regarding the hearing on an application for an ambulance service license by Arrow Ambulance, LLC.

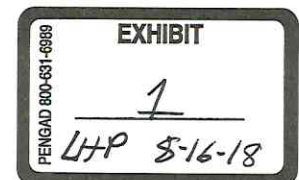
7-26-18

Date



Billy Tyus
City Manager
City of Decatur, Illinois

cc: Amy Waks, Assistant Corporation Counsel



*** Proof of Publication ***

THE HERALD & REVIEW
601 E William St
Decatur, IL 62523-1142
Ph: 800-453-2527

STATE OF ILLINOIS
COUNTY OF MACON } SS:
CITY OF DECATUR

CITY OF DECATUR-BAUER

Melissa Rowcliff

1 GARY K ANDERSON PZ

DECATUR, IL 62523

7971
NOTICE OF PUBLIC HEARING
CITY OF DECATUR

PLEASE TAKE NOTICE that a public hearing shall be held in the City Council Chambers on the Third Floor of the Decatur Civic Center located on One Gary K. Anderson Plaza, Decatur, Illinois starting at 5:00 p.m. on August 16, 2018 for the purpose of acting on an application for an AMBULANCE SERVICE license with the City of Decatur filed by Arrow Ambulance, LLC. At the public hearing, the hearing officer may consider that which is submitted concerning any item contained within the application; the experience and responsibility of the applicant; the effect the proposed service may have on the general health, safety and welfare of the community; and such other matters as may to such officer appear to be germane.
DATED this 31st day of July, 2018.

ORDER NUMBER 7971

LEE ENTERPRISES, INC hereby certifies that it is now and has been for more than one year continuously, d/b/a Herald & Review, a daily secular newspaper of general circulation in said County, published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that the Herald & Review is a newspaper as defined by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true copy, has been regularly published in said paper.

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FILED ON: 8/1/2018

By

Date





CITY OF DECATUR
FINANCE DEPARTMENT
#1 GARY K ANDERSON PLAZA
DECATUR IL 62523
LICENSING - (217) 424-2709

FEE: \$400

License Expires
September 30

AMBULANCE LICENSE APPLICATION

Circle one: Corporation LLC Partnership Individual Owner

PLEASE PRINT

Name ARROWAMBULANCE, LLC

Doing Business As _____ Phone # (217) 356-3429

Business Address 210 E UNIVERSITY AVE CHAMPAIGN IL 61820
Street City State Zip Code

Mailing Address SAME
Street City State Zip Code

Applicant's Name LARRY SAPP Phone # (217) 356-3429

Address 210 E UNIVERSITY AVE CHAMPAIGN IL 61820
Street City State Zip Code

This license application must be accompanied by:

1. Description of Vehicles
2. Certificate of Insurance on all vehicles
3. Name, Date of birth, and qualifications of all attendants
4. Locations/Description of place(s) from which service operates
5. Letter of affirmation from local or other EMS Resource Hospital per CH. 53; 4(f)
6. List of all names under which you do or propose to do business


Signature of Applicant

7/2/18
Title

TO BE COMPLETED BY FINANCE DEPT.

City Manager or Designee Date

New _____ Renewal _____

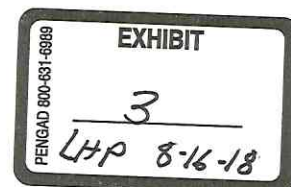
Amount Paid \$ _____

Date Paid _____

Insurance Expired _____

License Number _____

License Issued _____



August 21, 2018

Via email smahrt@ancelglink.com
Hearing Officer Steven D. Mahrt
c/o 202 N. Prospect Rd., Ste. 203
Bloomington, IL, 61704-7920

And a copy to:

awaks@decaturil.gov
Amy Waks, Esq.
City of Decatur
1 Gary K. Anderson Plaza
Decatur, IL 62523

**RE: Submission re Evidence of Arrow Ambulance's Compliance with Chapter 53
of City of Decatur Ordinance**

Dear Hearing Officer Mahrt:

Pursuant to your request at the conclusion of the public hearing held on August 16, 2018 on Arrow Ambulance's Application for a license to operate an ambulance service in the City of Decatur, the following is evidence that Arrow Ambulance meets the requirements of Chapter 53 of the City Code.

53-9. LICENSED VEHICLES.

First, Arrow Ambulance's vehicles are appropriately licensed by the Division of Highway Safety and EMS of the Illinois Department of Public Health (IDPH). Arrow's ambulances are equipped and staffed appropriately as required by the Illinois Emergency Medical Services Systems Act. Arrow operates both ambulances and advanced life support (ALS) vehicles.

53-10. DRIVER AND ATTENDANT.

Second, all Arrow Ambulance vehicles are staffed and operated by licensed emergency medical technicians (EMTs). All Arrow EMTs and paramedics are certified by the Illinois Department of Public Health. Arrow also requires its staff members (both paramedics and EMTs) to be certified in the National Incident Management Systems (NIMS) 100, 200, 700 and 800. All Arrow managers and supervisors are certified in NIMS 300 and 400. All paramedics and EMT's must complete training in HazMat and Tech Rescue and must complete an emergency vehicle

operators' course such as CEVO (Coaching the Emergency Vehicle Operator™). Arrow is also training all staff in Tactical Emergency Causality Care.

Arrow EMTs and paramedics also are trained and receive education from two physicians who are board certified in EMS.

53-11. EMERGENCY MEDICAL TECHNICIANS.

Third, Arrow Ambulance will have at least six EMTs on duty at all times in Decatur thereby exceeding the requirements of the ordinance. The minimum of six is due to Arrow not using an "on-call" system for daily operational coverage. Arrow does have "on call" EMTs that are utilized for instances of employee illness or in the event of no-call no-show. These on-call staff are used to ensure the minimum of six on duty is met at all times.

Also, Arrow plans to hire thirty-two (32) paramedics and EMTs, three paramedic supervisors (ensuring 24/7 local supervisor control), and one paramedic manager. The paramedic manager would provide local leadership and work in direct collaboration with Decatur fire and police department leadership, as well as the City of Decatur.

53-12. CONTINUOUS OPERATION.

Fourth, Arrow Ambulance will operate twenty-four (24) hours a day, seven (7) days a week. Operations will include at least two mobile intensive care units and the staff shall be trained and certified in advanced life support (ALS) (see above description of how Arrow staff are trained and certified).

53-13. RECORDS.

Fifth, Arrow Ambulance maintains a call log, which includes the responses to each call and the personnel that responded. Further Arrow Ambulance maintains equipment logs and maintenance logs for its vehicles and equipment.

53-14. CHANGE IN OPERATIONS.

Sixth, in the event that Arrow Ambulance experiences any substantial change in its operating procedures, such changes will be reported to the City of Decatur's City Manager.

53-15. COOPERATION.

Seventh, Arrow Ambulance is aware that there is currently an ambulance service operating in Decatur – Decatur Ambulance Service (DAS). Arrow Ambulance will cooperate with DAS and the emergency services operating in Decatur to ensure the public is best served by both ambulance companies, in coordination with the emergency services in Decatur.

53-16. CALLS FOR SERVICE.

Eighth, as part of this coordination and cooperation with the existing ambulance service, DAS, Arrow Ambulance will not respond to any calls for service directed at DAS, unless DAS so requests.

53-17. MONITORING POLICE OR FIRE CALLS.

Finally, Arrow Ambulance will respond only to calls directed to it and will not monitor any emergency communications in order to respond to calls not directed to it.

We respectfully submit that Arrow Ambulance meets the requirements set forth in the City Code and will continue to comply with the City Code and any applicable regulations/ordinances in the operation of its ambulance service.

If you have any questions, please do not hesitate to contact me at 217-356-3429 or Larry.Sapp@carle.com.

Very truly yours,

A handwritten signature in black ink that reads "Larry Sapp". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Larry Sapp, EMT-P
Director, Arrow Ambulance