

**State 9-1-1 Committee**  
**Policy Subcommittee Meeting**  
**August 11, 2009**

**Minutes**

1. Call to Order.

The Policy Subcommittee meeting of the State 9-1-1 Committee was called to order by telephone conference call at 10:00 a.m. by Dale Berry, Chair. Those members in attendance were Dale Berry, Marsha Bianconi, James Fyvie and John Hunt.

Others attending are Harriet Miller-Brown (State 9-1-1 Coordinator), Janet Hengesbach (State 9-1-1 Office), Robin Shivley (Director, EMS Division, Michigan Department of Community Health), Dale Gribler (Chair, State 9-1-1 Committee); Ken Cummings (Michigan Association of Ambulance Services), and Vic Martin (Central Dispatch Director, Lapeer County).

2. Call to the Public.

There were no issues raised by the public.

3. Approval of Minutes.

It was MOVED by HUNT, supported by BIANCONI to approve the minutes of the April 11, 2008 meeting. The minutes were unanimously approved.

4. Review of Policy E – Emergency Medical Services Dispatching.

The Sub-Committee has been asked by the State 9-1-1 Committee to review Policy E – Emergency Medical Services Dispatching, following receipt of a letter from the Director of Lapeer County Central Dispatch. Lapeer County is experiencing a conflict between ambulance services about which service is to be called.

Policy E is an advisory policy of the State 9-1-1 Committee which was approved in 1999. The policy has not been reviewed or modified since that time. The decision on which EMS service to send to emergencies works well in most Michigan communities, but significant disputes arise from time to time. Participants in the meeting highlighted about a dozen instances where conflicts have occurred in recent years.

The Subcommittee generally feels that the Policy E can probably be improved. Dale Berry pointed out that the policy is only advisory, and that it is a teaching tool to assist dispatch center directors and policy boards resolve disputes, particularly where laws, regulations and legal opinions may be in conflict. After a short review of legislation, rules and opinions, the Subcommittee acknowledged that there are conflicts.

Jim Fyvie discussed the history of the policy, and some of his experiences in dealing with the issue. The language in the 9-1-1 Act was originally designed to resolve law enforcement dispatching. But when the language was proposed in the legislature, it was broad and included police, fire and EMS services. This was really never intended but the law was approved as written. He stated that he has often sent Policy E to other dispatch center directors to assist them in resolving disputes. He feels it has worked well most of the time.

Ken Cummings, representing MAAS, feels that the policy needs to be updated because different 9-1-1 directors and policy boards interpret it very differently. He also pointed to the MDCH's recent declaratory ruling which impacts some of the things we are discussing.

Robin Shivley also read from a 1999 letter from the Michigan Attorney General on this issue. Though this was not a formal AG opinion, it does direct the closest unit to be sent. Robin will forward this to the Subcommittee. The group agreed that if the AG advice was followed specifically statewide, it would be very disruptive to EMS systems as well as fire suppression systems. This would result in an effort to repeal the provision in the Act.

Robin also acknowledged that some medical control authorities are more sophisticated and helpful than others.

Dale pointed out the flaws in the "closest" unit system - primarily that it can destabilize a local EMS delivery system and cause increasing tax subsidies to deliver patient care. As an example, a private ambulance service could base an ambulance in an established municipality and demand to receive calls where it is closest. Because both municipal and private ambulance services are funded by fees for service, it would reduce calls for other providers and the overall system would fail. Other Subcommittee members also expressed the chaos which would result if this policy were to be applied to fire protection, because fire departments don't have the authority to provide fire protection outside of their municipal boundaries or contract areas.

There was a question about the role of the local county 9-1-1 plan, which is an locally-approved document. Harriet Miller-Brown suggested that local plans generally don't define which EMS service responds in a municipality, because these plans are difficult to change when providers change. Sometimes the plans delegate this function to the local policy committee.

Harriet also advised the Subcommittee that under the current legislation, the State 9-1-1 Committee is required to provide dispute resolution process for these types of conflicts, and that the MPSC also has an appeal role under the law. This was not the case in 1999 when current Policy E was established. Subcommittee members suggested that the MPSC would not understand all of the intricacies in delivering emergency public safety and health services if a matter like this was appealed to them. This is another

reason why the State 9-1-1 Committee needs to provide tools to local units on how to manage this issue.

Dale Berry pointed out the following laws, regulations and rulings currently impact the decision on which EMS service to dispatch on a call:

- Life support agency license – their approved geographic service area
- Medical control protocols regulating the dispatching of EMS units (if any)
- A county's 9-1-1 Plan(s)
- The State 9-1-1 Act language regarding closest appropriate unit
- Municipal ordinances, if any
- Municipal contracts, if any

The Chair asked the Subcommittee if they wanted to consider changes in Policy E? John Hunt said that the policy would likely never resolve every situation. He is open to looking at it, but is unsure whether changing it is the right thing to do. Marsha Bianconi said that this is a very complicated issue and that many new view points and regulations were expressed today that she needs to think about. She asked that the additional laws and other information be provided to the Subcommittee for review. Jim Fyvie feels that the current Policy E covers most situations but it could always be improved.

Non-committee members suggested that the policy should be reviewed. Ken Cummings stated that there are agencies waiting to see how this is handled, and the problem could get much worse in the future. Robin said that conflicts continue to be observed by the EMS Division. She stated that the MDCH recommends that local medical control authorities work through these issues with dispatch centers, but she acknowledged that there are major differences in the level of involvement by medical control from one county to the next. She suggested that the committee try to improve the policy. Vic Martin also asked that the policy be improved. He explained that at the local level, various interest groups dig in on their positions and any guidance that the State 9-1-1 committee can provide would be helpful. Dale Berry also stated that he feels the policy could be better written as a teaching or advisory policy. He felt that these matters need to be resolved at the local level, but many local stakeholders are not aware of the variety of laws and regulations that must be considered.

The Subcommittee agreed to review all of the documents which have been provided so far. The Subcommittee will meet again by telephone conference call to discuss what we can possibly achieve and determine the best approach to gaining input from around the state.

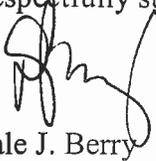
Dale Gribler, Chair of the State 9-1-1 Committee, thanked the Subcommittee for working on this. He feels we are taking the right approach, which is slow and with caution. He recommended that we continue to work on this internally in a low-key approach until we have changes for broader consideration.

5. Next Meeting. The next meeting of the Policy Subcommittee will be held by telephone on August 25, 2009 at 9:00 a.m. The Chair will compile and send out the various citations, AG letter and MDCH declaratory rulings that were discussed on the call today, in addition to instructions on how to dial in for the meeting.

6. Adjournment.

It was MOVED by BIANCONI, supported by HUNT to adjourn the meeting. The motion was unanimously approved. The meeting was adjourned at 11:15 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Berry', with a long, sweeping flourish extending to the right.

Dale J. Berry  
Chair