



## EL PASO COUNTY EMERGENCY SERVICES AGENCY

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**Date:** January 27, 2006  
**To:** ESA Board Members  
**From:** Manuel Navarro, Chairperson  
**Subject:** Response to questions regarding the definition of Deferred Response and System Level 0

**ISSUES:** Commissioner Clark distributed a legal opinion from County Attorney William Louis, to the Board at the January 4, 2005, ESA meeting. During the City/County meeting of October 7, 2005, questions were raised by members of both the County Commission and City Council concerning service issues associated with the current ESA contract with AMR and the term "system level 0" associated with contract penalties. The opinion under review is whether 'system level 0' "occurs only when ambulances are not available from either the Contractor or from other agencies for emergency transport".

The County Attorneys Office offers a counter-point to the opinion in that it does not expressly define what constitutes the "system". The opinion implies that the "system" may be any provider in which there is in place a mutual aid agreement between AMR and another provider. Thus, a counter interpretation is that the opinion is overly broad and does not bear any relationship to reasonable response time or to any other issues relating to quality of service. The County Attorney's Office recommended the ESA Board consider defining the terms "system" and "deferred response" in order to assure that the purposes of the contract are fulfilled.

**RECOMMENDATION:** Define the "system" as the geographic boundaries of El Paso County. Therefore, when under a "deferred response" status, AMR can arrange mutual aid from any provider within the County. On the other hand, "system level 0" would occur when there are **no** ambulances available for transport anywhere within the County.

By using this definition of "deferred response" and "system level 0", it would give the interested parties the opportunity to realistically decide if more transport units should be added.

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