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City Manager's Office

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Ruben Torres

SUBJECT: SAN JOSE FIRE DEPARTMENT
UPDATE - EMERGENCY
MEDICAL SERVICES

DATE: September 30, 2014

Approved:

Date:

9/30/14

INFORMATION

The purpose of this memorandum is to provide the City Council with (1) updated information related to the San José Fire Department's Emergency Medical Services response times and its work plan to improve response time performance levels, (2) information regarding the status of recent discussions with County of Santa Clara Emergency Medical Services Agency staff, and (3) the status of the response time reporting audit initiated by the County of Santa Clara.

BACKGROUND

Under the California Health & Safety Code, the County of Santa Clara (County) is required and authorized to respond to Emergency Medical Services (EMS) calls for service from its residents. On April 5, 2011, the County entered into a 911 Emergency Medical Services Provider Agreement (Agreement) with the City of San José (City) for the San José Fire Department (Fire Department) to respond to 911 EMS calls for service within the City's authorized jurisdiction, including those established through automatic and mutual aid agreements. Under the Agreement, the response time performance standard for the Fire Department to respond to EMS calls for service is arrival to urban areas within 7:59 minutes on Priority 1¹ EMS calls and arrival within 12:59 minutes on Priority 2² EMS calls. The Agreement further requires that the Fire Department meet a minimum ninety percent (90%) response time compliance in each dispatch classification³ in order to be considered compliant with the Agreement.

Under Annex B of the Agreement, funding is divided into two areas: Category A – EMS Resources Management and Category B – Response Time Performance. Category A funds are used to cover a percentage of equipment costs incurred by the Fire Department in responding to EMS calls for service under the Agreement. Those funds typically average \$800,000 per year.

¹ Response times for Priority 1 EMS calls in Suburban areas is 9:59 and for Rural/Wilderness areas is 11:59.

² Response times for Priority 2 EMS calls in Suburban areas is 14:59 and for Rural/Wilderness areas is 21:59.

³ Urban = >101 people/sq. mile, suburban = 51-100 people/sq. mile, and rural/wilderness = <50 people/sq. mile

Category B funds are used for incentives when the Fire Department meets response time standards for 90% of the EMS calls for service and, per the Agreement, can total up to \$1.8 million per year. Since participating in the Agreement, the City has received between \$2.1 million to \$2.2 million, on an annual basis, for both Category A and Category B combined.

Timeline

In January 2013, the City advised the County that the response times it had been providing to the County might have been incorrectly calculated and reported. After discovering the potential error, the City began taking measures to correct its calculations and reporting. It also engaged with the County's EMS Agency to discuss potential improvements to the City's response to EMS calls for service under the Agreement as the City was not regularly meeting response time standards.

On February 4, 2014, due to the City's inability to consistently meet the 90% response time standard, the Santa Clara County's Board of Supervisors (Board) directed its Administration to withhold any pending or future funds due to the City under the Agreement until the City achieved certain conditions. In light of the different type of funding under the Agreement, the Board directed its Administration to withhold any pending or future Category B funds until the County had received from the City (1) a corrective action plan acceptable to the County and (2) evidence of three consecutive months of response time compliance by the Fire Department for 90% of the EMS calls for service. The Board further directed that once the above conditions were met by the City, the County was to release all withheld payments, less any liquidated damages incurred by the City for failing to meet response time standards during the applicable period. However, the Board directed its Administration to require the City to agree to return any previously withheld Category B payments if a subsequent material breach⁴ due to response time performance during the term of the Agreement occurred (the "claw back provision"). The Board further directed that the Agreement be amended to incorporate these provisions and if the City did not agree to these terms, the County Administration was to terminate the Agreement. With regard to Category A funds, the Board directed its Administration staff to, "Pay San José past due amounts under Category A of Annex B of the Agreement." For minutes from the Board's meeting, please access the following link:

<http://sccgov.iqm2.com/citizens/FileOpen.aspx?Type=12&ID=4628&Inline=True>. On February 10, 2014, County EMS Agency Director, Michael Petrie, wrote to the San José Fire Chief confirming the above direction by the Board.

⁴ "Material breach" is a failure of performance under the Agreement which is significant enough to give the aggrieved party the right to sue for breach of contract. As provided for in the Agreement, the City is considered in material breach of Annex B of the Agreement if it fails to meet the EMS response times for 90% of the calls for service for 3 months in a row or for 4 months in a year.

On March 14, 2014, the Fire Department issued an information memorandum to the City Council providing a brief overview of the Fire Department's EMS response times within its authorized jurisdiction and the measures the Fire Department had taken since discovering the inaccurate calculation and reporting of EMS response times to the County in January 2013. That memorandum can be found at the following link:

<https://www.piersystem.com/external/content/document/1914/2120354/1/03-14-14Fire.PDF>.

On April 22, 2014, the Fire Department issued a second, more detailed information memorandum to the City Council providing the City Council with initial response time analysis, including:

- (1) Updated and verified information regarding current and past City and County EMS response time performance;
- (2) Information regarding identified deficiencies in emergency response time performance and informing the City Council of actions for improvement that had already been taken;
- (3) Information regarding a recent third party validation of the City's response time reporting process and data conducted by Athena Advanced Networks; and
- (4) Information regarding future actions that would be implemented by the Fire Department to further improve response time performance to the community.

That memorandum can be found at the following link:

<https://www.piersystem.com/external/content/document/1914/2152522/1/04-22-14FIRE.PDF>

On May 9, 2014, during a City Council 2014-2015 Budget Study Session, the Fire Department reviewed and discussed in detail the information contained in their memorandum dated April 22, 2014.

Finally, on May 21, 2014, in Manager's Budget Addendum #17, in an effort to improve overall fire and emergency response time performance to the community, a recommendation was made by staff for the Fire Department to continue its analysis of response time performance through a comprehensive Fire Department organizational review. This analysis would include, but not be limited to:

- (1) Reviewing staff workload and service outcomes achieved based upon the type of Fire Department services delivered;
- (2) Assessing the appropriateness of fire response time performance targets based upon the type of service call;
- (3) Reviewing alternative service/staffing deployment options;
- (4) Assessing apparatus types and locations throughout the City; and
- (5) Exploring traffic signal pre-emption systems to improve travel time performance.

This recommendation was approved by the City Council through its review and approval of the Mayor's June Budget Message for Fiscal Year 2014-2015. The completion of this analysis is targeted for the winter of 2015.

CURRENT EMS RESPONSE TIMES & WORK PLAN TO IMPROVE PERFORMANCE

Following the analysis completed by the third party consultant, Athena Advanced Networks, and a number of measures taken by the Fire Department to improve EMS response time performance over the last 9 months, the Fire Department has experienced an overall improvement in its EMS response times. For example, since December 2013 the Fire Department has implemented changes to the way it captures and reports information and the manner in which it delivers services and has consequently seen a modest increase in its EMS response times. Please see Table 1 County EMS Response Times: 8 min. Compliance for Code 3 Incidents, for the monthly EMS Response Times for July 2012 thru August 2014.

Table 1 County EMS Response Times: 8 min. Compliance for Code 3 Incidents

2012												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
EMS Compliance							93.11	94.25	90.96	89.14	87.86	88.18

2013												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
EMS Compliance	88.99	88.33	89.62	89.52	87.95	88.54	87.62	94.91	89.95	85.23	85.26	85.32

2014												
Month	Jan	Feb	Mar	Apr	*May	*Jun	*Jul	*Aug	Sep	Oct	Nov	Dec
EMS Compliance	88.05	87.68	88.91	90.39	88.94	90.31	92.53	88.95				

* Additional reported data since the City Council Budget Study Session held on May 9, 2014.

It is important to note that the Fire Department continues to engage in a number of actions to address not only the City’s EMS response times, but also to address an overall improvement in its operations, as follows:

1. Reliable Response Time Data – In an effort to establish consistent and reliable information, the department has focused efforts on reinforcing its data integrity and automating its reporting. In addition, efforts are being made to provide up-to-date dashboards and performance results to the Command staff as well as the stations, allowing a more in-depth understanding of where problem areas might exist.
2. Minimize Dispatch Time – These tasks are focused around communications and improving call processing. Identified areas for improvement are response area re-mapping; filling current vacancies; evaluating staffing needs, as part of the previously mentioned organizational review; and, upgrades to both the software and phone systems used by the Fire Department.
3. Minimize Turnout Time – Turnout Time is defined as the span of time from when a Fire Department station receives notification of a call for service to when a Fire Department apparatus from that station is in motion, responding to the emergency. Efforts are currently in progress to enable turnout time improvements through a cooperative environment between labor and management (LMI). Command staff is evaluating and adjusting their turnout pilot program to identify the best practices and any deficiencies

that might exist in the current model. Weekly communications through Battalion Chiefs are currently taking place, with turnout time compliance reports, by station and shift, to begin before the end of Fall 2014.

4. Minimize Travel Time – Several tasks are focused towards reducing the amount of time required to respond to calls. Some of these tasks are centered on first due assignments of stations, apparatus deployments, and the GPS location of apparatus at the time a call is received. Although many of the tasks are being addressed by the Fire Department, a few are either related to the larger projects (e.g., the Silicon Valley Regional Communications Services (SVRCS) project) or are restricted by investment (e.g., the signal preemption project which allows the Fire Department to change the signal lights so that it can proceed through intersections at will).
5. Assess County EMS Response Time Compliance – This task is related to the evaluation of the amount of time a Fire Department apparatus is standing-by on site waiting for the arrival of Rural Metro to transport a patient. If an apparatus is waiting on site for a transporting apparatus to arrive, it is not available to respond to other emergencies which, in turn, reduces the number of available apparatus and can cause delays in the Fire Department's response times.
6. Performance Standards – As mentioned earlier in this memorandum, the Fire Department, in conjunction with the City Manager's Office, is undertaking a comprehensive department organizational review with a targeted completion date of winter of 2015. This analysis will include: (1) reviewing staff workload and service outcomes achieved based upon the type of services delivered; (2) assessing the appropriateness of fire response time performance targets based upon the type of service call; (3) reviewing alternative service/staffing deployment options; (4) assessing apparatus types and locations throughout the City; and (5) exploring traffic signal preemption systems to improve travel time performance.
7. Maximize Unit Availability – Research is being conducted on establishing the “Omega” protocol as a way of prioritizing non-emergency events. This protocol would be implemented when a 9-1-1 operator responds to a call where the caller doesn't actually have a medical emergency but is likely in need of some level of medical intervention or assistance. In this instance, the 9-1-1 operator would categorize the call as an “Omega” classification and redirect the caller or assist the caller through a secondary triage center in a more appropriate, cost-effective manner.

For a detailed list of next steps the Fire Department is taking to improve its operations and overall service delivery, please see Attachment A to this memorandum.

STATUS OF DISCUSSIONS WITH COUNTY OF SANTA CLARA EMS AGENCY

Since it first reported a potential issue with its response time reports to the County, the City has engaged in meetings, phone calls and correspondence with the County's EMS Agency Director and appeared before the County's Health & Hospital Committee (Committee) as well as the County Board of Supervisors to assure the County that the partnership between the City and the County is valuable and beneficial. The Fire Department has also relayed to the Committee, the Board and the County EMS Agency Director that it remains committed to supporting the County EMS Agency needs through the efficient and cost-effective use of City resources.

Since late Spring of 2014, the Fire Department and the City's Administration has also engaged in preliminary discussions with the County's EMS Agency Director regarding potential amendments to the Agreement as it pertains to Category B funds. Although the Board specifically directed its Administration not to withhold Category A funds due to the City under the Agreement, to date, the County (through Rural Metro) has issued to the City a total of only \$333,128 to cover the period of April 2013 through September 2014; leaving a balance currently due to the City for this period of \$866,134. If no further actions are taken by the County to release the Category A payments owed to the City, the outstanding amount would grow by \$599,631 by year end, bringing the total owed to the City, at the end of fiscal year 2014-2015, to \$1,465,765. In an effort to obtain the balance of the Category A funds, the City has requested that upon execution of an amendment to the Agreement to address Category B funds, the County immediately release all Category A funds due.

With regard to Category B funds, the City's Administration and the County EMS Agency Director have engaged in informal discussions regarding the potential Annex B contract amendments that could be recommended to both the City Council and County Board of Supervisors, respectively, that are reasonable for both parties in light of the resources available for the Fire Department to respond to EMS calls; the corrective work plan in place and the actions taken to date to improve response time performance; and, the goal of sustainable performance of at least 90% for three consecutive months. The City's Administration hopes to complete those discussions soon and will return to the City Council once it is positioned to recommend reasonable amendments to the Agreement.

STATUS OF COUNTY OF SANTA CLARA RESPONSE TIME REPORTING AUDIT

On March 11, 2014, the County Board of Supervisors directed the County's Management Auditor, Harvey Rose & Associates, to conduct an audit of the Fire Department's reported EMS response times (to include any systemic and/or management issues related to response times) and report back to the Board as soon as possible. Since then, the Fire Department and the City's Administration have been working diligently to provide Harvey Rose & Associates with the information they have requested and assist in their evaluation of the Fire Department's reporting. To date, a number of activities have been completed by Harvey Rose & Associates, including a review of the response time methodology used by the Fire Department for a random sampling of

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EMS calls, as well as visiting all Fire Department fire stations and the Communications Center to interview Fire Department personnel. Harvey Rose & Associates has estimated a completion date for its audit of September 2014.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

/s/

RUBEN TORRES

Fire Chief

For more information on this memorandum please contact Ron D'Acchioli, Deputy Director, Fire Department Bureau of Administrative Services at 408-794-6953.

Attachment A – Fire Department Response Time Improvement Work Plan

Fire Department Response Time Improvement Work Plan

ATTACHMENT A

Goal	Project	Status	Timeline/Completion
Reliable Response Time Data	1. Analyze/Validate Response Time Data	Completed	April-14
	2. Enable "HALO" Unit Tracking	In Progress	September-14
	3. Establish Data Warehouse	In Progress	June-15
	4. Business Intelligence Tool (i.e. Dashboards)	In Progress	October-15
	5. Data Collection/Automation	In Progress	Ongoing
Minimize Dispatch Time	6. Implement Early Dispatch	Completed	March-14
	7. Response Area Mapping	In Progress	September-14
	8. Pro-QA Update (Dispatch software)	In Progress	September-14
	9. Base Map Update	In Progress	October-14
	10. Fire Communications Staffing	4 person academy begin. 8/14	May-15
	11. 911 Phone System Upgrade	In Planning	October-15
Minimize Turnout Time	12. Turnout Time Pilot	In Progress	January 2016 (Final Report)
Minimize Travel Time	13. Unit Availability	Decentralized Training	August-14
	14. Emerg. Service Zones Refinement	In Progress	December-14
	15. Apparatus Move-ups	Evaluating	January-15
	16. Navigation Technology	In Planning	December-15
	17. Closest Unit Dispatch	Technology in place	July-16
	18. Deployment Refinements	Data Analysis	July-16
	19. CAD to CAD Link (countywide apparatus locations)	In Process -SVRIA Dependent	TBD (SVRIA)
	20. Border Drops	In Process -SVRIA Dependent	TBD (SVRIA)
	21. Signal Preemption	Requires Funding	TBD
Assess County EMS Response Time Compliance	22. Impact on SJFD Response Performance	In Progress	September-14
Performance Standards	23. Organizational Review Study	Developing RFP	Winter 2015
Maximize Unit Availability	24. Implement Omega Protocol (min. out of service)	Requires County EMS Cooperation	TBD