



CITY OF NEWPORT BEACH

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September 25, 2012

The Honorable Judge Thomas J. Borris
Presiding Judge of the Superior Court
700 Civic Center Drive West,
Santa Ana, CA 92701

RE: Report of the Orange County Grand Jury – "Emergency Medical Response in Orange County"

Dear Presiding Judge Borris:

The City of Newport Beach appreciates the time and effort the Grand Jury spent on the development of their report, "Emergency Medical Response in Orange County."

The City Council has reviewed the report and authorized the attached response to the findings, conclusions and recommendations noted in the report. The City values the opportunity to respond to this report, share our perspective, and provide a response to each of the issues requested by the Grand Jury in their report.

If the City of Newport Beach can provide additional information or clarification of our response, please do not hesitate to call me.

Sincerely,

Nancy Gardner
Mayor of Newport Beach

Encl: Response to Findings/Conclusions & Recommendations

cc: Dave Kiff, City Manager (w/Enc.)
City of Newport Beach Council Members (w/Enc.)
Fire Chief Scott Poster (w/Enc.)
Assistant Chief Kevin Kitch (w/Enc.)



CITY OF NEWPORT BEACH

OFFICE OF THE CITY MANAGER
(949) 644-3001

RE: Report of the 2011-2012 Orange County Grand Jury – “Emergency Medical Response in Orange County”

FROM: City of Newport Beach, California

DATE: September 25, 2012

The Report obligates the City to respond no later than October 1, 2012 to:

- Findings/Conclusions: F1, F2, and F3; and
- Recommendations: R1 and R2.

The Newport Beach City Council, the City Manager’s Office and the Fire Department have reviewed the Orange County Grand Jury report, *Emergency Medical Response in Orange County*, published June 5, 2012. City Manager Dave Kiff was instructed to provide the following response, in accordance with California Penal Code Section 933.05 (a) and (b). His comments follow.

FINDINGS/CONCLUSIONS

Finding F1 - *Fire departments that once primarily responded to calls for fire emergencies now have become emergency medical response departments primarily responding to medical emergencies. This evolution has occurred since the onset of “9-1-1” call where all emergency calls are received at one place.*

Response: The City of Newport Beach **disagrees partially** with the Finding F1 as it pertains to Newport Beach.

Just over a year ago, the Newport Beach Fire Department (“NBFD”) celebrated its 100th anniversary. Although, branded as the “Fire Department” throughout its existence, the primary mission of the NBFD has always been the preservation of life and property, including emergency medical calls and ocean rescue (lifeguarding). Our partial disagreement noted above is because emergency medical care was a core service even during the early years. Because of its coastal waters and high surf, the City of Newport Beach has always needed to provide rescue and lifesaving services for its residents and visitors. In 1913, the fire department was presented with its first mechanical resuscitation device that was stored on one of its first fire vehicles. In September 1927, the fire department’s first rescue squad was placed into service for the sole purpose of providing resuscitation in the case of drowning, smoke inhalation, or other medical emergencies. In 1937, the sign in front of the NBFD headquarters read “Fire and Life Saving Depts.”¹

¹ Michael J. Novak, *Images of America: Newport Beach Fire Department*, (Charleston SC, Chicago IL, Portsmouth NH, San Francisco CA: Arcadia Publisher, 2008), 16, 29, & 95.

It was not until the late 1960s to early 1970s that emergency medical services (EMS) became more formalized (40+ years ago). During this time frame it became obvious that to save lives, patients needed to be treated on scene, which meant prior to arriving at the hospital. This concept came to the forefront in a hallmark document published in 1966 entitled, "Accidental Death and Disability: The Neglected Diseases of Modern Society." The paper concluded that accidental injury was "the neglected epidemic of modern society" and the "the nation's most important environmental health problem."

Veteran medical experts returning from the Korean and Vietnam wars felt their chances of survival on the battlefield were far better than on America's streets. The reduction in the death rates of war casualties was directly attributed to how quickly medical care was initiated after injury.² Congress reacted by charging the Department of Transportation ("DOT") with establishing federal funding and standards for regions willing to develop EMS systems between 1966 and 1973. The DOT went on to create national standards for the training of Emergency Medical Technicians and Paramedics as well as defining the required components of an EMS system.

The California Legislature, recognizing the value of resources already in existence, such as strategically located fire stations and response vehicles, and fire personnel already trained to respond to emergencies, passed several important statutes. California Health and Safety Code §219, enacted in 1967, mandated minimum first aid training standards for all public safety personnel.

NBFD did comply with the mandate and eventually all fire personnel were certified in advanced first aid and all captains became qualified first aid instructors. About the same time, three physicians in Los Angeles County launched a pilot program that trained firefighters as "Mobile Intensive Care Paramedics" ("Paramedics") to provide advanced life support to the critically ill and injured.

The success of the program led to the California Legislature passing the Wedworth-Townsend Paramedic Act ("Act") in 1970. This Act allowed the County of Orange to establish a Mobile Intensive Care Paramedic Pilot Program in January 1973. The Board of Supervisors designated an Emergency Medical Care Committee ("EMCC"), through which all aspects of planning were to be presented and coordinated. At the direction of their governing boards and councils, the Orange County Fire Service took on a leadership role while working in collaboration with the EMCC to develop a master plan for paramedic services. This document served as a guide for the implementation of a fire-based, EMS delivery system utilizing paramedics.³ Each fire department funded their paramedic program costs with local dollars. On May 30, 1974, the City of Newport Beach approved the implementation of a Paramedic Program, which began with eight firefighters certified as Paramedics on September 26, 1975. ^{4,5} The first Paramedic van was placed into service on October 8, 1975. The Board of Supervisors eventually adopted the Master Plan as policy in 1976.

This historical timeline outlined above illustrates how the delivery of EMS was a primary responsibility of the NBFD since its inception. The evolution of EMS as a formalized system was a direct result of integrative planning that took decades to unfold. Therefore, while we agree that fire departments like ours now respond far more often to emergency medical or other life-saving calls than to fire suppression calls, the delivery of EMS as a primary responsibility of the NBFD has been longstanding (predating 9-1-1).

Finding F2 - As the fire departments evolved into emergency medical departments, the model for operating the fire departments has not radically changed. The fire departments have simply absorbed the emergency medical responses into their departments under their old "fire response" model.

² Prepared by Committee on Trauma, Committee on Shock, Division of Medical Sciences, National Academy of Sciences, & National Research Council, *Accidental Death and Disability: The Neglected Diseases of Modern Society*, (Washington D.C., September 1966).

³ Office of the City Manager, *Paramedic Services Report*, (City of Newport Beach CA, May 1974).

⁴ Newport Beach, CA, Regular Council Meeting Minutes, May 28, 1974.

⁵ Orange County Medical Center, Graduation Program Class 1-75 (#6), (Orange County Mobile Intensive Care Program Paramedic Training Division, September 26, 1975).

Response: The City of Newport Beach **disagrees partially** with Finding F2 as it pertains to Newport Beach.

While our fire department continues to operate out of fixed stations and crews are assigned to each station, other aspects of the operating model have changed over the years in regards to fire suppression, marine operations, life safety services, and especially emergency medical service delivery.

The operating model of the Nbfd has been and will continue to be dynamic. The City Council is continually evaluating service delivery and recommending changes based on the needs of the community and the community's demand for high service levels. Since its inception in 1911, the Nbfd has developed into a multi-faceted, all-risk public safety department. Changes in the operating model occurred as the Nbfd evolved from volunteer firefighters, mostly military veterans with experience in the basic building trades, self-educated, trained to basic fire suppression skills to trained professionals committed to serve the public in many ways.

Fire stations have been strategically located to provide short response times to emergency medical calls, fire responses, and requests for other services. The expectations of today's Paramedic/Firefighter are significantly different today than yesterday.

As stated in the response to Finding F1, legislation enabled firefighters to be trained as paramedics, and the operating model changed from basic to advanced life support. Nbfd built a strong relationship with Hoag Hospital and cultivated an advanced life support system to serve the residents and visitors in Newport Beach. Today, the Nbfd continues to change its operating model to care for our residents and visitors (examples are in regards to Cerebral Vascular Accidents (Strokes), Myocardial Infarctions (Heart Attacks), and Spinal Injuries).

Finding F3 - Economic recessions have forced local fire department boards of directors and city councils to re-evaluate their models for providing fire and emergency medical responses. While this brings to the fore issues of staffing, response times, public safety, training, consolidations, union rules and privatization of their various services, it also spotlights the model used for all emergency responses.

Response: The City of Newport Beach **disagrees partially** with Finding F3 as it pertains to Newport Beach. The items listed in Finding F3 are being evaluated by the City Council and Fire Department on a continual basis, not forced by the economy, but as part of good business and government practices.

As described in our response to F2, the City Council is continually evaluating the operating model of the Nbfd, regardless of economic conditions. The City of Newport Beach has implemented numerous changes to reduce costs, manage public safety pensions and plan for the future while striving to provide quality services to the community. The fire department, along with other City departments, has experienced organizational changes to maximize staff and incorporate multifunctional personnel to become more efficient. The Operating Model underwent re-evaluation prior to the economic recession where the City Council oversaw changes in emergency service delivery such as the change from using an ambulance service to providing transportation for patients, which is a system that serves Newport Beach well and is cost effective.

RECOMMENDATIONS:

Recommendation R1 - The city fire departments and the Orange County Fire Authority should engage independent private consultants to re-evaluate their models for providing response for both fire and medical emergencies. These re-evaluations should include the strengths, weaknesses, opportunities and threats of current models and alternative models. This re-evaluation should be accomplished by July 31, 2013. (See F1, F2 & F3)

Response: The recommendation will not be implemented, because it is not reasonable.

As the Grand Jury is aware, respondents are prescribed via the California Penal Code to formally respond to the Grand Jury's findings/conclusions and recommendations with specific text, even if the phrase and tone we might rather respond with is significantly different than the Penal Code's strictures.

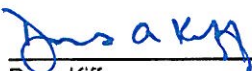
Therefore, please know that the City of Newport Beach appreciates the Grand Jury's attention to the interesting and timely issue of change in fire departments – indeed, we see the change too. We know that any government service must change with times, as difficult as that can be. And while we might not choose the precise path and timeline that the Grand Jury requested (study done by consultant services, all by July 31, 2013); please know that we acknowledge that similar studies and analyses need to occur soon if local governments and their fire departments are to continue to remain efficient and effective.

Recommendation R2 - Suggested alternative models should include forming a unified Emergency Response Department that includes fire and medical response, separating the fire response from the medical response, privatizing the emergency medical response, etc. (See F3)

Response: The recommendation has not been implemented, but may be considered in the future. The City of Newport Beach's Resolution 2010-04 (Enacting a Fiscal Sustainability Plan) states, among other things, that the City will consider competitive contracting of services and equipment when appropriate and where clear, cost-effective alternatives exist. Consistent with this Resolution and the Grand Jury's report, the City will continue to consider competitive contracting with the Nbfd and all City departments. The City will continue to re-evaluate all alternative models to create efficiencies for emergency medical service response while maintaining the highest level of service to the community.

I welcome any views contrary or concerns that the Grand Jury might have about this response. I can be reached at (949) 644-3001 or dkiff@newportbeachca.gov.

Sincerely,



Dave Kiff
City Manager
City of Newport Beach