



CITY OF BILLINGS

BILL COLE, MAYOR

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April 4, 2020

Chris Kukulski
City of Billings
210 N. 27th Street
Billings, MT 59101

Dear Mr. Kukulski:

I have received the attached letter from American Medical Response (AMR) through the Billings Fire Department (BFD). Due to the current COVID-19 nationwide emergency, the letter summarizes the need for a temporary modification of a City licensing ordinance so that emergency medical responders may be more efficiently directed to particular calls for service.

More specifically, it is my understanding that an “advanced life support” (ALS) response frequently requires a concurrent response by the BFD for even low acuity calls. By contrast, a “basic life support” (BLS) response generally does not require BFD involvement, which can preserve scarce BFD personnel, equipment, and personal protective equipment (PPE). A BLS-level call also allows AMR to respond using a different standard of trained personnel and equipment, allowing AMR to extend its supply of PPE and other resources.

Hence, based on my review of the attached letter from AMR, I deem the joint request of both AMR and the BFD is appropriate under the current circumstances. There is a need to temporarily permit and authorize a BLS emergency response by AMR when the local Medical Control physician determines that such a response is appropriate for specific emergency calls.

Currently City ordinance Section 15-703(2) and (3) (BMCC) require that an ambulance service must provide 24/7 services to the City “at the advanced life support level” in order for an ambulance service to be licensed by the City. In order to authorize a BLS response by AMR in certain defined and specified emergency medical service calls, the City ordinance must be temporarily amended. There is authorization for an emergency ordinance under state law at Section 7-5-104, Montana Code Annotated (MCA) which allows for one reading of such an emergency ordinance. However, this statute only authorizes such an emergency ordinance to exist for ninety (90) days.

Under other sections of state code and BMCC I am authorized as Mayor to make temporary emergency determinations such as this one. Section 10-3-402, MCA, and Section 2-903, BMCC, permit me to issue emergency declarations and related directives. Specifically,

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Section 2-903(2), BMCC, authorizes the Mayor to “issue proper directives which in the event of emergency shall have the effect of an ordinance of the City of Billings, but shall be subject to confirmation by city council” Similarly, Section 2-905 authorizes the Mayor to make such emergency directives to the City Administrator or designee who shall implement the specific directive given by the Mayor.

Based upon the authority above, I am directing that Section 15-703(2) and (3) be immediately and temporarily amended to permit BLS level of response to emergency calls for service within the City as determined by AMR and BFD Medical Control.

More specifically, Section 15-703(2) and (3), BMCC, are hereby amended to provide as follows during the course of the current emergency:

Sec. 15-703. - Criteria for license.

Any person desiring to obtain the license required by this article shall demonstrate the ability to meet the following requirements:

.....

- (2) Except during an emergency as declared by the Mayor that permits a basic life support level of response under specific circumstances as determined by the appropriate medical control physician, ¶the applicant must otherwise provide emergency medical services at the advanced life support level throughout the city, twenty-four (24) hours per day, seven (7) days per week.
- (3) Except as provided in subsection (2), ¶the applicant must have adequate personnel, vehicles, equipment and facilities to respond at the advanced life support level to emergency calls to all locations within the corporate limits of the city within eight (8) minutes or less on at least ninety (90) percent of such calls. The response time does not apply to calls that have been screened by 9-1-1 dispatch and are dispatched to an ambulance with the specific statement that it is "no code," mean not life threatening.

It is my understanding that a brief resolution confirming this decision will be presented to the City Council at its April 13 regular business meeting as required by Section 2-903(2), BMCC.

Very truly yours,



William A. Cole, Mayor
City of Billings

attachment

cc: Rocco Roncarati, Regional Director, American Medical Response
Bill Rash, Chief, Billings Fire Department
Kevin Iffland, Assistant City Administrator
Brent Brooks, Billings City Attorney