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WILLIAMSON COUNTY COMMISSIONERS COURT

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August 29, 2023

Dennis Bostrom
Avery Pickett Fire Department

By Email Only:
dbostrom02@gmail.com;
avery.pickett503@gmail.com

John Shelton
Avery Pickett Fire Department

By Email Only:
johnshelton114@gmail.com

RE: Notice of Termination of First Amended and Restated Emergency Service Organizations Agreement being dated effective January 31, 2023 (“First Amended Agreement”)

Dear Gentlemen,

On Friday July 28, 2023, John Shelton informed Williamson County Senior Director of Emergency Services, Chief Chris Connealy, by email that the Board of the Avery Pickett Fire Department (“APFD”) unanimously voted to disband immediately, and to cease all operations. The closure of APFD was thereafter confirmed in a communication between Chief Connealy and Dennis Bostrom on Monday, July 31, 2023.

Prior to the closure of APFD, Williamson County EMS Captain Nicholas Moore provided a written notice of breach to APFD on July 19, 2023 informing APFD of its failure to maintain a current and valid First Responder Organization (FRO) certification and registration with the Texas Department of State Health Services, as required by the First Amended Agreement. Captain Moore’s notice of breach is attached hereto. Captain Moore set forth in the notice of breach that the breach must be cured within thirty (30) days of receipt of the notice. Such thirty (30) day cure period has expired.

In addition to APFD’s breach in relation to the FRO certification and registration, APFD has not performed or complied with any of the other obligations under the First Amended Agreement and is not capable of performing or curing them due to its closure in July of 2023.

Please let this letter serve as written notice of termination to APFD due to the above-described breach relating to APFD’s failure to maintain a current and valid First Responder Organization (FRO) certification and registration with the Texas Department of State Health Services, as well as due to non-compliance with all other terms of the First Amended Agreement.

The effective date of termination of the First Amended Agreement as to APFD shall be August 29, 2023. Following the effective date of termination, APFD shall no longer receive any funding or any other rights, privileges, or benefits under the First Amended Agreement.

Williamson County would like to thank the APFD for its prior services to the citizens of Williamson County, Texas.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hal C. Hawes", is written over a light gray rectangular background.

Hal C. Hawes
General Counsel

From: [Nicholas Moore](#)
To: [Dennis R. Bostrom](#)
Cc: [Mike Knipstein](#); [Taylor Ratcliff](#)
Subject: APVFD DSHS License Expiration
Date: Wednesday, July 19, 2023 1:01:00 PM
Attachments: [Avery Pickett Organizational Agreement.pdf](#)
[Avery Pickett Agreement Medical Director - FRO V.4 \(1\).pdf](#)

Chief Bostrum,

In part of our conversations we've spoken about the expiration of the Avery Pickett FRO certification with Texas DSHS. These kind of things do happen from time to time and are addressed in the Emergency Services Organization agreement. It states a 30 day grace period for the FRO to have the license reinstated with Texas DSHS, but that time period can be extended with proof that the organization is making attempts to reinstate the license. We're all a team here and want to work together with the understanding we're all here to help the citizens of Williamson County. Can you please reply all with some of the things you're doing in an attempt to recertify?

If you have any questions, please let me know and I'm happy to help as much as I can. I've attached the completed Organizational and Medical Director agreements. I believe you'll need them as part of the recertification process.

Thank you, Chief

Nicholas Moore BS, Licensed Paramedic, TM
Captain-Williamson County EMS

NOTICE OF CONFIDENTIALITY: The information in this communication is confidential and intended only for the exclusive use of the addressee. The copying, distribution, or other use of this communication by the addressee or any other person or entity is prohibited. If you have received this communication by mistake, please notify the sender immediately and destroy all forms of this communication (electronic or paper). Thanks for your cooperation

WILLIAMSON COUNTY EMERGENCY MEDICAL FIRST RESPONDER ORGANIZATION AGREEMENT

Williamson County EMS shall be an EMS provider currently licensed by the Department of State Health Services (DSHS). **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** shall be a first responder organization (FRO) currently registered by the Department of State Health Services rule 157.14. FRO is an individual(s) or an organization which:

- Routinely responds to medical emergency situations
- Utilizes emergency medical service (EMS) personnel certified by Texas DSHS •
- Provide on-scene patient care; and
- Do not transport patients

Williamson County EMS ambulances will, when resources are available, transport patients from within the Williamson County geographical area served by the **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO**. Patient treatment and/or patient refusal of treatment will be done according to the standards defined in the Williamson County EMS Scope of Care and approved by the Williamson County EMS Medical Director.

Ambulance Cancellation

Williamson County EMS ambulances may be cancelled if:

1. There is no patient on-scene
2. There is no person on-scene who may be defined as a patient
3. The patient is obviously deceased as a result of a condition incompatible with life.

For any reason or operational preference, First Responder Organizations may choose NOT to cancel **Williamson County EMS** ambulances at any time.

A **Williamson County EMS** ambulance may be cancelled by **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** WITH a patient on-scene which necessitates a written refusal of medical care to be documented by **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO**. The document (form or format) used for this purpose must be approved by the EMS Medical Director and Deputy Director. Once a **Williamson County EMS** paramedic unit arrives or medical care has been initiated, patient transport and/or patient refusal of transport documentation will be done by **Williamson County EMS** paramedic personnel only.

Transport Decisions

Transport and destination of transport decisions will be determined by **Williamson County EMS**. Air medical transport resources may be requested and cancelled as deemed appropriate by the responding FRO or EMS unit.

Chain of Command

On-scene chain of command, within the **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** response area, will follow the national incident management system (NIMS) with **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** providing the Incident Commander and Williamson County EMS providing the Medical Branch of the Operations Section as needed. EMS personnel shall be in charge of patient treatment & transport once on-scene. Law Enforcement personnel may assume the Incident Commander role in the case of a crime scene.

First responder personnel generally will not accompany the patient to the transport destination unless requested by EMS paramedic personnel or as needed for continuing education purposes. EMS paramedic personnel shall be in charge of patient treatment during transport. **Williamson County EMS** will make every attempt to return **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** personnel. System response needs may result in significant delays in the return of **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** personnel.

WILLIAMSON COUNTY EMERGENCY MEDICAL FIRST RESPONDER ORGANIZATION AGREEMENT

Patient Confidentiality

The **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** will develop and comply with a patient confidentiality policy designed to secure all patient records and information at all times. The First Responder Organization will also ensure the Organization and its members comply with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) and provide requisite proof of initial or ongoing training. The Organization's patient confidentiality policy must also address a patient record release procedure approved by the Williamson County EMS Custodian of Records.

Quality Improvement

The **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** system-credentialed responders must be authorized by the department to fully participate in the Quality Improvement process as required by the Medical Director. This process includes participation in in-person call reviews, documentation reviews and continuing education as outlined in the **Williamson County EMS System First Responder Organization SOG's**. Responders must fully participate to retain system credentialing.

Responder Identification

Based on Texas Department of State Health Services Rule 157.14(e)(4) the **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** and **Williamson County EMS** shall agree on the following:

- Response availability days of the week & times of the day
- First responder identification tag that conspicuously shows responder's name, agency's name, responder's state certification level and responder's system credentialing level. (The agency name and responder's state certification level may be designated by the responder's uniform). The ID tag must meet the following requirements:
 - Must have responder's photo
 - Indicates the responder's name, agency and state certification level
 - Indicates the responder's system credentialing level using the following color code.
 - The color code is prominently placed on the ID tag as a border or background.
 - Maroon Border – responder credentialing at Paramedic level
 - Gold Border –responders credentialing at the FRP level
 - Green Border –responder credentialing at the AEMT level
 - Blue Border –responder credentialing at EMT level
 - Orange Border – responder credentialing at CFR level
 - No color Border – trained or untrained personnel who are not credentialed to provide any patient care
- First responder identification tag must be prominently displayed when interacting with the patient and when patient care is being rendered

Other Requirements

In addition to the above, the **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** will also:

- Provide a copy of the organization's response policy addressing code of responses
- Ensure a copy of the current Williamson County EMS Scope of Care, approved Medical Equipment list, and First Responder organization certification is provided on all apparatus/vehicles responding to medical incidents
- Ensure all system credentialed responders maintain current Texas Department of State Health Services certification or licensure at or above the system credentialing level
- Report to the Medical Director any disciplinary actions imposed on a credentialed responder
- **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO** agrees to provide care at the minimum of CFR credential level as defined in the WCEMS System SOC's.

**WILLIAMSON COUNTY EMERGENCY MEDICAL
FIRST RESPONDER ORGANIZATION
AGREEMENT**

Williamson County EMS will not be responsible for supplying, maintaining, or retrieving the Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO equipment or supplies. Williamson County EMS will replace supplies used by the Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO while on the scene, on a one for one basis provided the Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO does not bill the patient for these same items. Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO assumes any and all associated liability related to patient care rendered by Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO personnel. Williamson County EMS shall not be responsible for care rendered, accidents, injuries, exposures or any liability involving Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO, Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO personnel, equipment, supplies or vehicles.

In the event any discrepancies arise between Williamson County EMS and Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO personnel relating to patient care or transport, the respective Department Chiefs/Directors shall be advised. A meeting will be arranged for all personnel involved with the Williamson County Medical Director (clinical issues) and/or the Williamson County EMS Deputy Director (operational issues). This will be done to prevent any problems from creating animosity between departments, thus adversely affecting patient care.

The Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO will function under the most current Williamson County EMS System Scope of Care.

Further definition of elements herein can be viewed in the Williamson County EMS Scope of Care.

Either party may cancel this agreement with a 60-day advance written notice.

This document supersedes previous agreements.

Taylor Volunteer Fire Department DBA Avery Pickett Fire Department FRO:

___Dennis R. Bostrom *Dennis R. Bostrom* Intuit Fire Chief ___ 7/18/2023

Williamson County EMS:

Mike Knipstein *[Signature]* Director 7/19/2023
(print name) (signature) (title) (date)

Williamson County EMS:

Taylor K. Ratcliff, MD *[Signature]* Medical Director 7/19/2023
(print name) (signature) (title) (date)

Statement of Medical Direction/Supervision of Pre-Hospital Care

The purpose of this document is to provide verification of medical direction and supervision of Pre-hospital care delivered by Williamson County First Responder Organizations.

I affirm that I am:

1. A physician licensed to practice medicine in the State of Texas;
2. Familiar with the operation of EMS systems;
3. Experienced in pre-hospital emergency care of acutely ill or injured patients.
4. Actively involved in:
 - the emergency management of acutely ill and/or injured patients,
 - in the medical continuing education of the EMS personnel under my supervision at their respective level of certification,
 - in the medical audit, review, and critique of the EMS personnel performance; and,
 - in the administrative processes affecting the delivery of emergency pre-hospital care;
5. Knowledgeable about local multi-casualty plans;
6. Familiar with dispatch and communications operations of pre-hospital emergency units; and, 7. Knowledgeable about laws and regulations affecting local regional, and state EMS operations.

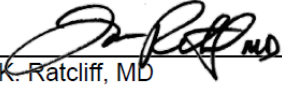
I understand that as medical director, I will:

1. Approve the level of pre-hospital care which may be rendered locally by each of the EMS personnel under my supervision;
2. Establish and monitor compliance with field performance guidelines for EMS personnel;
3. Establish and monitor compliance with training guidelines which meet or exceed Texas Department of State Health Services' EMS certification regulations;
4. Oversee the development, implementation, and revision of protocols and/or standing orders;
5. Direct and effect system audit and quality assurance program;
6. Make formal recommendations on medically related aspects of EMS operations;
7. Function as the primary liaison between EMS administration and the local medical community;
8. Take or recommend appropriate remedial or corrective measures for EMS personnel;
9. Based on due cause, de-credential a system qualified provider barring them from the provision of medical care
10. Develop and implement a comprehensive mechanism for management of patient care incidents, 11.

Ensure that each department under my license adheres to the First Responder Agreement between Williamson County EMS and each respective First Responder Organization.

**Williamson County Emergency Medical Services
Medical Director – FRO Agreement**

I agree to assume the authority and the responsibility of Medical Director for the **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department** from this date forward. Cancellation of this agreement requires a minimum of a sixty-day written notice of termination by either party. This agreement supersedes any previous agreement.

 Date: 7/19/2023
Taylor K. Ratcliff, MD
3189 SE Inner Loop
Georgetown, TX 78626
(512) 943-1264

On behalf of the **Taylor Volunteer Fire Department DBA Avery Pickett Fire Department**, I accept the authority and the responsibility of the Medical Director.

Dennis R. Bostrom Date: 7/18/2023

Taylor Volunteer Fire Department DBA Avery Pickett Fire Department, Fire Chief