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January 9, 2024

VIA EMAIL

Robert F. Blackmore
Innova Legal Advisors, PC
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Re: *Morrow Co. Health District / Morrow County*
Our File No. 30931

Dear Mr. Blackmore:

This letter is to advise that the MCHD Board of Directors met to discuss the county's request to extend the 90 day notice to vacate the ASA. After thorough discussion, the Board unanimously voted to decline the request. Emily Roberts has prepared a detailed statement covering the topics discussed and the Board's determination that it was in the best interests of the community, health care workers, and the MCHD to decline the extension.

Bluntly, we feel that, despite assurances by the County that good faith negotiations and direct involvement in the ASA amendment procedure would occur, this has not been the case. Moreover, instead of discussing possible resolutions revolving around the problems with changes in the ASA Plan and the numerous safety concerns voiced by the experienced members of the EMS Advisory Committee, the County has instead decided to ignore those concerns and negotiate with the Boardman Fire Rescue District. It has further decided to send in a claimed "draft" ASA Plan for approval by the Oregon Health Authority, without the approval of MCHD. Yet, it seems the County did not inform the OHA that this was the case, necessitating direct contact by MCHD to correct the Health Authority's apparent misimpression. It also did not go unnoticed that the County sought to confiscate MCHD vehicles and equipment, if it elected to back out of the ASA Plan in the future. I would note that this claim of "draft" the County suggested is simply nonsense, since OHA approval of this unsanctioned "draft" would then enable the Commissioners to simply sign off on the document. So, let us end this preconception the County has suggesting MCHD does not know what is really happening here.

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Additionally, despite the County's position that the 2021 ASA plan was somehow ineffective, it still refuses to comply with the provider election procedures set out in the 1998 ASA Plan and Ordinance. When this was pointed out, the County then announced it was likely going to vote to repeal the 1998 Plan and Ordinance, so that there would be no governing documents and the County would be free to exercise its own discretion without involving qualified medical/emergency professionals. The fact that the County has elected to ignore Oregon law, which was parroted in the ASA Plans, that requires applicants who wish to provide services submit appropriate application materials is baffling. There are numerous other reasons, but the reasons cited above are sufficient for purposes of this letter.

MCHD strongly feels that Morrow County can resolve the issues with the service contract, ASA Plan, and Ordinance in the time remaining if it so chooses. MCHD has consistently participated in good faith for the good of all involved. Unfortunately, that resulted in the County's most recent public announcement, which contains substantial inaccuracies and misstatements that MCHD finds offensive.

The fact remains, MCHD has provided exceptional service to the community, evidenced by decades of care without complaints, lawsuits, fines, or disciplinary actions. For whatever reason, the Commissioners, who are not medically trained, want absolute control over the provision of ambulance service in Morrow County without external input. The provision of reliable ambulance service is not simply about having an ambulance drive around with a crew to provide care. There are substantial rules and regulations that dictate how this must occur. To run crews in a county like Morrow County, some with more resources than others, there must be sufficient personnel and a plan in place to handle multiple calls in various areas, simultaneously. This current proposed ASA plan is not realistic and will likely cost lives. MCHD is willing to work with the County, offering decades of expertise.

We believe that, if the County is earnest in its desire to negotiate an acceptable service contract, we can do that well within the time remaining in the Notice to Vacate. As stated many times, the MCHD simply needs to cover any shortfall in operating costs. MCHD stands by its obligations to provide quality care. However, we are all weary of the gamesmanship and backdoor political dealings that have been interfering with the process. MCHD simply wishes to get on with providing the medical care the community deserves without additional conflict and strife. It is neither helpful nor worthwhile. Instead of continuing in this fashion, let us all work together on a plan that is practical and a service agreement that enables the MCHD to continue providing exceptional care to Morrow County residents and visitors.

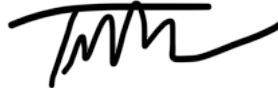
We suggest that, in partnership with the standing EMS Advisory Committee, the County commence the procedure set out under Section 5(f) on page 25 of the 1998 ASA Plan, which lays out a process to follow in the event that a provider gives notice to vacate the ASA. Section 5(f) reads:

In the event a satisfactory solution to all parties involved cannot be reached within a reasonable amount of time, the EMS Advisory Committee will appoint a task force comprised of representative from: each ambulance service, the [MCHD] Board, the medical community and a citizen of each community involved (not affiliated with the health care industry), to reach a reasonable and workable solution.

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I look forward to moving past this stumbling block and engaging in further progress on these fronts.

Sincerely,

A handwritten signature in black ink, appearing to be 'Troy S. Bundy', with a horizontal line above the first few letters.

Troy S. Bundy

TSB/akr

cc: Emily Roberts/MCHD