

**EL PASO COUNTY EMERGENCY SERVICES AGENCY (ESA)
CONTRACT COMPLIANCE COMMITTEE**

POLICY AND PROCEDURE

1.0 Purpose

The purpose of this Committee is to review and oversee the Contractor's compliance with the terms of the Contract, including the Contractor's resolution of complaints arising out of its performance under the Contract.

2.0 Definitions

2.1 Ambulance Services Administrator – The ESA staff person responsible for ensuring the Contractor's compliance with the terms of the Contract.

2.2 Business Contract Administrator – The ESA staff person responsible for coordinating various administration, accounting, financial, community interaction, and website activities for the ESA

2.3 Committee – An ESA committee composed of the Ambulance Services Administrator, Business Contract Administrator and three voting ESA Board members, who are appointed by the ESA Board. The ESA Board may appoint additional voting or non-voting ESA Board members as members of the Committee.

2.4 Confidential Information – Information that is confidential and protected from public disclosure under federal and/or state confidentiality or privacy laws.

2.5 Contract – The contract between the ESA and an ambulance services provider that provides ambulance transport services for the areas within the jurisdiction of the ESA.

2.6 Contractor – The ambulance services provider that provides ambulance services to the ESA pursuant to the Contract.

2.7 Report – A monthly performance and compliance report prepared by the Ambulance Services Administrator, which includes a summary of response time performance data, exemptions requested by the Contractor, and recommended penalties against the Contractor for non-compliance with the Contract, when applicable.

3.0 Policy and Procedure

3.1 Contract Compliance Issues

In accordance with the Contract, the Ambulance Services Administrator will collect response time data and services information from the Contractor and will review it to determine compliance with the Contract requirements. The Ambulance Services Administrator will then review the findings with the Contractor's designated representative, and will prepare a Compliance Report for review by the Committee. The Report will be presented to the Committee every other month for review and recommendation to the ESA Board that the Compliance Report be approved.

The Report may recommend the assessment of penalties against the Contractor for noncompliance with the Contract.

Following the Committee's review and approval of the Report, the Ambulance Services Administrator will provide it to the Contractor and the Committee Chair for final review before it is presented to the ESA Board.

The ESA Board will review the Report, and will vote on the acceptance of the Report and the assessment of penalties against the Contractor, if any.

Upon approval of the Report by ESA Board, the Business Contract Administrator will send the Contractor a copy of the approved Report and an invoice for penalties assessed against it, if any.

3.2 Customer Service Issues

The Business Contract Administrator will receive customer and other complaints from the Contractor, through the ESA website, or by telephone contact with the customer or other complainant.

The Business Contract Administrator will categorize each complaint (i.e. medical, behavior, billing, other, etc.).

The Business Contract Administrator will redact Confidential Information prior to copying and distributing complaints to the Committee or, in the case of medical complaints, to the physicians on the ESA Board.

Medical complaints will be reviewed and processed in accordance with the Medical Complaint Policy and Procedure adopted by the ESA Board. No medical complaints will be reviewed by the Committee until after resolution by the MCC. The Committee will only address medical complaints after the MCC has completed its medical complaint review process, and only to

ensure that the Contractor has communicated with the complainant about the resolution of the medical complaint.

3.3 Complaint Resolution (other than Medical Complaints)

Upon the Contractor's receipt of a complaint, the Contractor will respond to it in accordance with the requirements of the Contract. The Contractor must notify the Committee, through the Business Contract Administrator, when the complaint was received and how it was resolved. The Business Contract Administrator will then contact the complainant to ensure that the complainant was notified of the resolution and that the resolution is satisfactory.

For complaints that are received directly by the ESA via electronic mail, telephone or its website, the Business Contract Administrator will document the complaint and notify the complainant within two business days of receipt. The complaint will then be forwarded to the Contractor for resolution.

If the Contractor's resolution is not satisfactory to the complainant, then the complainant may appeal the decision in writing to the ESA Board within thirty (30) days of receipt of the Contractor's notification of resolution.

The ESA Board will subsequently hold an inquiry hearing at a regular or special meeting to determine a final resolution of the complaint. The time and date of the meeting will be provided in writing to the complainant by registered or certified mail, return receipt requested.

Complaints not resolved to the Committee's satisfaction may result in the Committee recommending to the ESA Board that the Contractor may not be in compliance with the terms of the Contract and make recommendations as to whether such non-compliance constitutes a default of the Contract by Contractor. Any recommendation from the Committee as to the Contractor's default must identify the provision of the Contract to which the Contractor is in default (e.g., page five (5) of the Contract for contractor personnel performance standards and page 16 for customer service).

If the complaint is not resolved by the Contractor within the specified time frame required under the Contract, the Committee will prepare and present a report at the next ESA Board meeting. The report will contain the facts of the case and a recommended resolution. The complainant will be notified in writing of the date and time of that meeting.

3.4 Review of Complaint Trends

Complaint trends will be tracked and reviewed by the Committee on a regular basis. If the Committee identifies a pattern of particular complaints, then the Committee may make a recommendation to the ESA Board to take action against the Contractor, which may include, without limitation, public admonishment.

3.5 Compliments

The Committee may also receive reports of compliments for the Contractor and/or its personnel and may periodically recommend that the ESA Board recognize the Contractor's performance at a public meeting.

Adopted by the ESA Board on February 6, 2008