



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

POLICY AND PROCEDURE

1.0 **Purpose**

The Compliance Committee reviews and evaluates 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, and makes recommendations to the ESA Board relating to issues it discovers or reviews.

2.0 **Definitions**

- 2.1 **ESA Staff** – Employees of the City of Colorado Springs and/or El Paso County who are assigned to perform duties relating to administration of the ESA, including contract compliance, customer relations, grant program administration, and other duties assigned by the ESA Board.
- 2.2 **Committee** – An ESA committee composed of ESA staff 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.
- 2.3 **Confidential Information** – Information that is confidential and protected from public disclosure under federal and/or state confidentiality or privacy laws.
- 2.4 **Contract** – The contract between the ESA and an ambulance services provider that provides ground emergency ambulance transport services for the ESA's exclusive service area.
- 2.5 **Contractor** – The ambulance services provider that provides ground emergency ambulance services pursuant to the Contract.
- 2.6 **Report** – A regular performance and compliance report prepared by ESA staff, which includes a summary of response time performance data, exemptions requested by the Contractor, and recommended assessments to be paid by the Contractor pursuant to the Contract, when applicable.

3.0 **Policy and Procedure**

3.1 **Contract Compliance Issues:** In accordance with the Contract, ESA staff collect and review response time data and services information from the Contractor and other sources and to determine compliance with the Contract requirements. ESA staff then review the findings with the Contractor's designated representative, and prepare a Compliance Report for review by the Committee. ESA staff present the report to the Committee periodically for

review. Following the Committee's review and approval of the Report, ESA staff provide it to the Contractor for final review before it is presented to the ESA Board. ESA staff then present the report to the ESA Board for approval at their next regular meeting.

The ESA Board reviews the report, and votes to accept, amend, or reject the report and the assessments amounts contained therein, if any.

Upon approval of the report by ESA Board, ESA staff send the Contractor a copy of the approved Report and an invoice for assessments, if any.

3.2 Customer Service Issues: ESA staff receive customer and other complaints through a variety of channels:

- from the Contractor
- through the ESA website
- by telephone contact with the customer or other complainant; or
- by other channels (i.e. direct contact, U.S. mail, email).

ESA staff categorize each complaint (i.e. medical, behavior, billing, other, etc.) and redact Confidential Information prior to distributing complaints to the Committee or, in the case of medical complaints, to the physicians on the ESA's Medical Control Committee (MCC).

Medical complaints are reviewed and processed in accordance with the Medical Complaint Policy and Procedure adopted by the ESA Board. The Committee addresses medical complaints only 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)

The Contractor responds to complaints relating to its ESA business it in accordance with the requirements of the Contract. The Contractor notifies ESA staff when the complaint was received and resolved, the subject of the complaints, and the manner in which it was resolved. ESA staff then contact the complainant, if necessary, to ensure that the complainant was notified of the resolution and that the resolution is satisfactory.

For complaints that are received directly by ESA staff via electronic mail, telephone or its website, ESA staff document the complaint and notify the complainant within two business days of receipt, and then forward the complaint to the Contractor for resolution.

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. ESA staff notify the complainant in writing of the date and time of that meeting.

If the Contractor's resolution of a complaint 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. ESA staff will provide the time and date of the meeting 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 reporting to the ESA Board that the Contractor may not be in compliance with the terms of the Contract and that such non-compliance may constitute default under the Contract. Any report from the Committee relating to the Contractor's default must identify the specific provision of the Contract the Committee considers the Contractor to be in violation of.

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.