

## Emergency Medical Services Program Policies – Procedures – Protocols

### ***Emergency Medical Services Inappropriate Use Policy (1014.00)***

#### **I. Policy:**

It is the responsibility of the Kern County Public Health, Emergency Medical Services Program (Program) to organize an emergency medical services response system that provides expedient, efficient and safe emergency medical services to people in need of emergency medical response, care and/or transport.

#### **II. Purpose:**

The Kern County EMS system is designed to help residents and visitors to our county obtain prehospital emergency health care in an efficient and timely manner. Unfortunately, there are people who use these services inappropriately thereby reducing resources for patients who are truly in need of emergency services, evaluation, and transport. This policy outlines the identification and management of inappropriate system users.

#### **III. Authority:**

Health and Safety Code, Division 2.5, Section 1797.220, and Section 1798.

#### **IV. Procedure:**

##### **A. Identification**

1. Inappropriate system users may come to the attention of EMS by direct report from provider agencies, hospitals, the CQI system, law enforcement, or analysis of system data.
2. An inappropriate system user will be defined as an individual who has accessed the EMS system an average of two times per month over a period of three months (e.g., six or more responses within a 90-day period).

3. The EMS Program shall perform a case-by-case review to determine if the user requires further action under this policy.
4. Patient transport, where an authorized agent applies a Welfare and Institutions Code 5150 will not be included in the above statistics. Psychiatric or medical conditions which make them incapable of caring for themselves will be referred to the appropriate agency to assess the patient's competency or ability to care for themselves. If it is determined that the patient is competent to make their own decisions or has the ability to care for themselves, this policy will be in effect in evaluating EMS usage.
5. Payment or non-payment of EMS services, gender, ethnic background, employment status, financial status, or physical/mental condition are not used to determine revocation of EMS response and transport.

B. Counseling

1. Once an EMS inappropriate user is identified pursuant to Section IV.A.2 of this policy, the following agencies will be notified, if possible, to assist with management of the individual:
  - a) Kern County Public Health Nursing
  - b) Kern County Behavioral Health & Recovery Services
  - c) Kern County Department of Human Services
  - d) The patient's primary care physician (if possible)
  - e) Appropriate law enforcement agency
2. The inappropriate user will be engaged by one of the aforementioned agencies on at least one occasion prior to suspension of ambulance transport services.
3. EMS, or its designee, will counsel the patient regarding the purpose, and appropriate use, of the EMS system.
4. The inappropriate user will be provided a copy of this policy. This policy will be discussed with the user, and questions will be answered by EMS staff or their designee.

C. Revocation of EMS Transport

1. During the initial counseling period, the inappropriate user will

be given a first written warning of impending cancelation of ambulance transport services (First Warning). This warning will be mailed by certified mail or hand-delivered.

2. After 15 days, if the trend of use of the 911 system continues to be excessive, a second written notice shall be mailed by certified mail or hand-delivered (Second Warning).
3. After 30 days, if the trend of use of the 911 system continues to be excessive, a third and final written notice shall be hand-delivered (Final Demand).
4. After a minimum of 40 days (or 10 days after the Final Demand is delivered), if the trend of use of the 911 system continues to be excessive, a written notice shall be hand-delivered advising the user that ambulance transport privileges have been discontinued, and they will no longer receive an ambulance transport.

#### D. Appeals Process

1. EMS must be notified in writing by the user, or their representative, that EMS services should be continued. These requests can be made at any time; however, no more than two requests for appeal will be heard in any six-month period.
2. In order for the request for appeal to be found credible, the user must provide evidence that they can use EMS Resources responsibly.
3. If the request for appeal is found to be credible by the EMS Medical Director, EMS will schedule an Appeals Panel conference within 15 days where the user, or his representative, will present their evidence as to why EMS services should be re-instated.
4. Three representatives for appeals panel will be chosen by EMS. The panel members must have substantial EMS experience and will be chosen from hospital emergency departments, provider agencies, and/or first responder agencies that have the least contact with the user.
5. The decision of the appeals panel will be advisory to the EMS Medical Director, who will make the final determination if EMS services should be reinstated.

**E. Reinstatement of EMS Response and Transport**

1. If the EMS Medical Director reinstates EMS response and services, the EMS user will not be exempt from this policy.
2. A probationary period of 180 days will begin wherein the EMS Medical Director can implement an immediate suspension of ambulance transport privileges if the use of the ambulance services continues to be excessive.
3. After 180 days, a new 90-day period will begin, and EMS use will be monitored.

**V. Identification of Inappropriate Users and Notification to Providers:**

When the EMS Medical Director determines that actions must be taken on an EMS user in accordance with this policy, the EMS program shall issue a memorandum to ambulance providers, law enforcement and first responder agencies that will specifically identify the individual and provide any additional information, as necessary.

**VI. Responder Responsibility:**

- A. Upon contact with an EMS user, who is specifically determined to be an inappropriate user by the EMS Medical Director, the response personnel will make an initial scene assessment upon arriving on scene.

1. If the patient is not ambulatory, cannot sit unassisted, meets 5150 criteria, meets specialty care center criteria, or the paramedic recognizes a medical condition that requires immediate medical treatment, normal policies and procedures for patient assessment, treatment and transport shall be initiated. The EMS Medical Director may modify these criteria on a case-by-case basis.
2. If the patient does not meet the above criteria, the EMS crew will advise the individual of the following:

*“You have been identified as an inappropriate user of the 911 system by Kern County EMS. The EMS Medical Director has suspended ambulance transport for you. You need to consider alternative transportation. If you feel this is in error, you can contact EMS at (661) 321-3000.*

***We are not transporting you to the hospital***

B. Field Documentation

1. A patient care report (PCR) shall be initiated with any patient managed under this policy. If an EMS inappropriate user is denied EMS services under this policy, the PCR shall include all pertinent patient information, a complete SOAP narrative describing in detail the patient condition, a complete assessment including vital signs, glucose and 12 lead ECG as indicated by the complaint and a brief statement of why the patient was denied services (e.g., “No immediate medical condition found”, “Patient was ambulatory at scene” and/or “Patient could sit unassisted”).
2. Each PCR shall be reviewed by the provider agency and EMS to assure compliance with this policy.

Revision log:

02/13/2020: EMCAB approval of policy. Effective date 03/01/2020.