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### Cheshire Emergency Medical Services Fact Sheet November 16, 2023

The purpose of this narrative is to provide background about the establishment of Cheshire Emergency Medical Services (CEMS) and to correct the blatantly incorrect information and rumors that have been circulated in recent months through correspondence, news reports, social media, and individual statements.

The talks to purchase DiLuzio Ambulance Service began in January 2020 when Cheshire County was approached by Rob DiLuzio, Jr. He informed us that DiLuzio needed ventilators and intravenous pumps for their ambulances. Utilizing CARES Act funds, Cheshire County was able to fund their request of \$70,000 which was processed in April, 2020. For more information on this request, see the initial request, a thank you letter confirming the request, and a press release announcing this expenditure, <u>HERE</u>.

In January 2021, the County asked DiLuzio if there was more that could be done to help DiLuzio Ambulance. It was then that the DiLuzio's first requested the County take over their EMS operations.

Over the following months County officials looked for private companies or entities that could purchase and run DiLuzio Ambulance to make sure EMS services were available to county residents. The County remained ready to help in any manner necessary in case DiLuzio Ambulance ceased operations.

- The County reached out to Stewart's Ambulance, American Medical Response (AMR), and Rescue Inc. They all declined to take on the DiLuzio's business.
- After all other options were exhausted the County began negotiations to purchase and assume control of DiLuzio Ambulance assets.
- The City of Keene and Cheshire Medical Center were immediately notified that these talks had started. All parties were hopeful and enthusiastic for the prospect of the County taking over for DiLuzio Ambulance.
- During negotiations, DiLuzio directed County officials to contact Cheshire Medical Center (CMC) to begin talks about their needs for inter-facility transports (IFTs). County officials were led to believe that DiLuzio had a long-standing contract with CMC to handle their IFT requests. Unbeknownst to the County, that contract expired a year prior and Cheshire Medical Center had been looking for alternatives to DiLuzio including creating their own ambulance service. As a result of County discussions with CMC, the hospital asked the County to be the primary service that provides inter-facility transfers once it purchased the DiLuzio Ambulance assets.

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After more than a year of negotiations, the purchase of DiLuzio Ambulance assets was reduced to a written asset purchase agreement and memorandum of understanding which were agreed upon in principle, but never signed.

In the meantime, the County engaged legal counsel to perform the necessary due diligence of DiLuzio Ambulance's financial condition. The County's attorney discovered significant liens encumbering DiLuzio's business assets, including IRS liens, which prevented the County from obtaining clear title to the assets at closing. Additionally, the County's due diligence could not be completed because of incomplete or inaccurate financial records and audits. See the publicly available liens through the Cheshire County Register of Deeds, <u>HERE</u>. Because the transaction with DiLuzio Ambulance could not proceed, the County chose to move forward with the creation of a new ambulance service after a year and a half of negotiation with DiLuzio Ambulance. The reality that up to 17 towns and the city of Keene in Cheshire County would be impacted by the closure of DiLuzio Ambulance Service only increased the urgency for the County EMS service to be up and running. The County had every intention of completing the purchase of DiLuzio, but the County could not and would not take on their IRS liabilities. The County had no choice but to fill the void that was about to be created by DiLuzio's expected demise by establishing a publicly operated EMS service.

While purchase negotiations were still ongoing, the County began exploring options for its own EMS operation headquarters because DiLuzio did not own its operations building and the real estate on Court Street would not be part of the acquisition. County officials identified a property in Swanzey, at 66 West Lake Road, formerly known as Stromgren Plumbing and Heating. This location was centrally located and suitable for the construction and renovation of a base facility which would house up to six ambulances, a paramedic intercept car, living quarters for EMS personnel working a 24-hour shift, training area, a kitchen, and administrative office space. See the Keene Sentinel article relating to this decision, <u>HERE</u>. The County was notified by CMC that it would like the County (d/b/a Cheshire EMS) to be its primary contractor for IFTs after the County's decision to pursue its own EMS Service.

### Moving Forward with the Startup of Cheshire EMS

On November 21, 2022 Cheshire EMS officially went into service. As Cheshire EMS had no 9-1-1 municipal contracts at the time, the focus was inter-facility transfers through Cheshire Medical Center. Staffing was set at a level to ensure that if DiLuzio Ambulance could not fulfill its municipal contracts, Cheshire EMS would be ready to fill the gap and meet the anticipated EMS crisis. Regardless of whether Cheshire EMS was created, County officials believed DiLuzio Ambulance was likely to close due to serious financial troubles with the IRS and no other ambulance service had the capacity or willingness to take over.

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The County began discussions with the towns which were previously under contract with DiLuzio Ambulance that would be in need of 9-1-1 ambulance services, but no municipal contracts were signed until April, 2023. Cheshire EMS also offered back-up ambulance and paramedic intercept services to those municipalities that needed support.

In January 2023, County officials were notified by the town of Westmoreland, that it would like to have the County present during their meeting to discuss EMS services.

- County Commissioners Wozmak and Clark, Deputy Chief of Cheshire EMS Butler, Chief of Cheshire EMS Spain, County Finance Director Trombly, and County Administrator Coates attended the meeting and presented to the Westmoreland Selectboard.
- It was at this point that County officials reached out to Keene City Manager Dragon to
  discuss Westmoreland's request for Cheshire EMS services. The City Manager indicated
  that it would be problematic for the County to move forward with Westmoreland.
  County officials then notified the Westmoreland town administrator that Cheshire EMS
  could not move forward. The Westmoreland Selectboard asked the County to reconsider
  because they thought it was unfair for them to have no voice in who they contract with
  for EMS services. Over the next 48 hours County officials discussed the quandary at
  hand and concluded that Westmoreland was right the Town reserved the right to
  choose its EMS provider.
- County officials never approached any town under contract with the City of Keene. Westmoreland reached out to the County because it was practical for Cheshire EMS to service Westmoreland due to County ties with the town, including Maplewood Nursing Home being within Westmoreland.
- County officials notified the City Manager of this decision and moved forward with serving Westmoreland.
- To date, Cheshire EMS has not pursued any town under contract with the City of Keene. The City has contracted with the Town of Sullivan, a DiLuzio contracted town, to provide ambulance service at the request of the Sullivan Selectboard. The County fully respects and supports Sullivan's decision to choose their EMS provider.
- It is important to note that the County did not initiate conversations with Westmoreland to provide EMS services to them, the Town reached out to the County. See the email for the initial request, <u>HERE</u>.

### Disinformation, Initial Contracts, and the American Rescue Plan

As the purchase of DiLuzio Ambulance assets began to fall through, the County became the target of a major disinformation campaign. County officials chose not to respond to these false allegations and kept their focus on serving the citizens of Cheshire County by fulfilling the contracts requested by towns and CMC through a transparent public process.

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*Disinformation example 1:* It has been said that Cheshire EMS was planning to undercut DiLuzio and the City of Keene with its pricing structure, but it was the exact opposite. The County's pricing formula has never changed and would have been the same if the County purchased DiLuzio Ambulance assets or pursued its own EMS Service. Towns were told during negotiations that the County's EMS costs would be 2-3 times more than what DiLuzio was charging them previously.

- Towns made it clear to the County that they would maintain their contract with DiLuzio for as long as possible due to the higher cost that would be charged by the County.
- Perhaps DiLuzio's municipal contract pricing contributed to the fiscal crisis that DiLuzio Ambulance found itself in.
- The County's pricing model was carefully developed based on the experience of other ambulance services in New Hampshire. It was necessary to charge 2-3 times more than DiLuzio based on the true cost of ambulance service.

It cannot be stated enough that the City of Keene and Cheshire Medical Center were both in favor of Cheshire County purchasing and DiLuzio Ambulance's assets with American Rescue Plan (ARPA) funds. It is odd to see complaints from Keene Fire Chief Farquhar regarding starting up Cheshire EMS with ARPA funds when the City of Keene supported the use of those funds to purchase DiLuzio and the build up from that.

*Disinformation example 2:* It has been said that the County should have provided ARPA funding to the City of Keene and its fire department instead of Cheshire EMS. The City of Keene received more than \$2 million in ARPA funds directly. Further, the County provided a quarter of million dollars of ARPA funds to the City to support the City's recovery from COVID-19. For more information on how Cheshire County spent ARPA funds, see the document outlining expenditures and projects <u>HERE</u>.

Eventually, the IRS informed the towns serviced by DiLuzio Ambulance about its liens. County officials knew of the IRS liens approximately six (6) months prior to this announcement, but chose not to release this information, as it was not helpful to the County and would only harm the DiLuzios. The Keene Sentinel learned of the liens from several of the towns, but the County did not make any public statements until the Keene Sentinel submitted a Right-to-Know request which legally obligated release of the information.

As the County moved forward with uncertainty on the horizon, it was in late April 2023 that County Administrator Coates was notified by Cheshire Medical Center and Southwestern NH Fire Mutual Aid that within days DiLuzio Ambulance was going to permanently close. This put EMS service into crisis mode and required Cheshire EMS to transition from providing backup service in Swanzey to assuming the role of being the town's primary 9-1-1 ambulance provider.

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Cheshire EMS placed a fifth ambulance in service to make sure it could support any towns that needed assistance.

- Please note, there was a lack of communication through this time, and unbeknownst to us, the City of Keene, DiLuzio Ambulance, and Rescue Inc. came up with a plan for Rescue Inc. to provide back-up coverage to the City.
- Keene Fire Department officials failed to notify Cheshire Medical Center, Southwestern NH Fire Mutual Aid, or DiLuzio's previously contracted towns of the pending closure of DiLuzio Ambulance, until 2 days before DiLuzio Ambulance went out of business, nor did they notify those parties of negotiations between the City of Keene, Rescue Inc., and DiLuzio Ambulance.

On May 23, 2023 the Swanzey Selectboard hosted a meeting with all of those affected by DiLuzio Ambulance's closure, as well as any other towns that wanted to attend. Cheshire EMS and Rescue Inc. were asked to present their proposals for coverage as the plan that has been put in place by the City of Keene and Rescue Inc. created a 90-day window for towns to contract with them or not.

- After this meeting officials from the County and the City of Keene met to discuss how to move forward. Both agreed further discussions needed to occur, and set up a meeting for the following week with Keene Fire Chief Farquhar and Cheshire EMS Chief Spain. At this meeting City Manager Dragon and Chief Farquhar brought forward the following plan: the City of Keene would continue servicing the City and any contracts they had, they would also supply backup for Westmoreland on behalf of Cheshire EMS. Rescue Inc. would take on all towns that were not contracted with the City of Keene for 9-1-1 calls. Cheshire EMS would continue to do inter-facility transfers and back up to Rescue Inc. and the City of Keene on 911 calls when needed.
- Notwithstanding the City's plan, if the County Commissioners, the County Delegation, or the towns with which Cheshire EMS contracted disagreed with City's plan, Cheshire EMS would not be able to move forward according to that plan. The City of Keene agreed to this and stated that if they or Rescue Inc. disagreed with the plans, the talks would end as well.
- On the County's end there were multiple levels of agreement that needed to occur, including the Commissioners, the Delegation, and the towns. Two of these three governmental bodies voiced their opposition to the plan.
- At this meeting the towns also voiced their concerns that they had no voice in choosing their EMS service.

Though this potential arrangement fell through, all that were involved continued to work to meet the needs of the communities that were in crisis. A second meeting was called by the Selectmen of Swanzey on June 21, 2023 and again all towns contracted by DiLuzio attended. It was at this meeting that the city brought forth their concerns about how ARPA funds were spent. Yet, there was always going to be a need to use ARPA funds on EMS service in the community, whether it

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be through purchasing DiLuzio Ambulance assets or going forward alone. At the end of this meeting the Swanzey Selectboard addressed those in attendance and decided to move forward and chose Cheshire EMS as its 9-1-1 ambulance service.

In order to further strengthen the county-wide EMS system, the County established a relationship with Great Brook Ambulance Service, a private service based in Hillsborough, NH. Great Brook has the capacity to handle inter-facility transfers in Cheshire County and provide backup 9-1-1 service to Cheshire EMS. Great Brook also serves as the dispatch center for non-emergency ambulance services, which alleviates a burden on the Southwestern NH Fire Mutual Aid communications center. Additionally, Cheshire EMS developed a working relationship with SMARTRide, LLC for wheelchair vans to cover the county, which enhanced Cheshire EMS's full-service EMS continuum of care which includes 9-1-1 service, emergency and non-emergency inter-facility transports, and wheelchair service for those in need. Furthermore, the County recently purchased a bariatric stretcher chair and has ordered a specialized bariatric ambulance, which will serve the critical needs of severely obese patients. This will be the only bariatric ambulance that is based in Cheshire County.

- Beginning in April 2023, the towns of Harrisville, Stoddard, Richmond, Westmoreland, Marlborough, Swanzey, and Gilsum signed on to have Cheshire EMS as their primary 9-1-1 ambulance service. After the second meeting in Swanzey, County officials invited the City of Keene to meet, but the City officials indicated they would like to see how their service evolves over the next two months before meeting with the County.
- County officials were notified that Rescue Inc. would discontinue all services on August 1, 2023, with the exception of backup service to Keene and the towns contracted by the city.

Cheshire Medical Center called a meeting with the towns who were using Rescue Inc. as a backup. At this meeting the City of Keene said if called it's EMS would <u>not</u> respond to calls if Cheshire EMS was the primary servicer for that town.

- CMC asked the County if it would back up the towns that were not contracted for primary services with Cheshire EMS, but needed backup or paramedic intercept. The County answered that affirmatively, Cheshire EMS would support these communities in any capacity.
- This past Spring, Keene fire requested Cheshire EMS to send a paramedic intercept to Nelson. Cheshire EMS answered and responded to the call.
- This past Summer, Cheshire EMS requested a Keene Fire paramedic intercept to an incident in Swanzey. Keene Fire declined to respond to the call for help.

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### Conclusion

Cheshire EMS currently provides primary 9-1-1 ambulance service (basic life support and advanced life support) to Harrisville, Marlborough, Stoddard, Gilsum, Richmond, Westmoreland, and Swanzey with ambulances based in Swanzey and Westmoreland. Cheshire EMS provides backup ambulance service and paramedic intercept service to Troy, Fitzwilliam, Winchester, Marlow, and Alstead along with paramedic intercept service to Walpole. This week, Cheshire Medical Center initiated a part-time paramedic intercept service that further strengthens the county-wide EMS system. Through our public-private partnership with Great Brook Ambulance and SMARTRide, additional resources are available for 9-1-1 response and emergency and non-emergency inter-facility patient transfers. To say that the establishment of Cheshire EMS has weakened the County's EMS system is ludicrous.

It has and will always be the County's position and hope that it can find common ground, work together, correct any misconceptions, and most importantly be a strong partner with the City of Keene. *Again, if Keene Fire Department calls Cheshire EMS tomorrow and asks for help responding to a call, Cheshire EMS will do whatever it can to meet that need.* 

In closing, just to emphasize some key points concerning EMS services in Cheshire County. It was not the County's original intent to start its own service. The County's involvement began when it was asked to step in and help with equipment for DiLuzio Ambulance and then to purchase the entire business. County officials looked to Rescue Inc. Stewart's, and more to fill the region's need, but no one would take on the DiLuzio Ambulance business. So, the County moved forward not knowing much about DiLuzio's financial situation. The County and DiLuzio agreed upon a MOU, but an asset purchase agreement was never signed. Both documents remained unsigned by them. The County's due diligence search of publicly available records significant liens against DiLuzio Ambulance assets, including IRS liens which prevented the purchase of DiLuzio Ambulance's assets. The County was approached by a town that was contracted with the City of Keene and made the uncomfortable and controversial decision to accept their request to provide 9-1-1 ambulance service. It was never the County's intent to cause harm to the City, but the County supports the right of any town to choose its ambulance service. County officials were not made aware of the negotiations between the City of Keene, DiLuzio, and Rescue Inc., which County officials believe were intended the thwart the establishment of Cheshire EMS. County officials welcome the opportunity to work with the City of Keene to address any concerns so we may support one another and the community. On multiple times, County officials have asked representatives of the fire union to meet to answer any questions they may have. It is the County's hope that in the near future, the fire union will recognize that Cheshire EMS does not pose a threat to their jobs or to the important service that the Keene Fire Department is providing to the region. It is the County's vision that all public safety agencies,

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private providers, and the hospital community will collaborate to establish an EMS system in Cheshire County that seamlessly provides the highest quality of patient care in an equitable manner to all of our citizens.

County government as we have known it in the past is evolving due to multiple factors in our rural community. More and more the County is being called on to assume needed roles in the community, whether that be towns needing law enforcement, regional prosecution, Cheshire Community Power, school districts needing support around truancy, and now EMS services. County officials approach every situation and challenge thoughtfully and pragmatically. Policy decisions are always made in public meetings and on the public record with opportunity for public input into consideration before making a decision. The County has and will always welcome public input on any matter. The County's goal is to ensure that our communities are safe, and prosper, but also to work within the fiscal reality we are faced with in our corner of the state. In 2023 taxes to be raised from the County saw <u>NO</u> increase from 2022. County officials understand the stress towns are under in Cheshire County and appreciate those towns giving us the chance to explain ourselves and address misconceptions or untruths that have been presented.

Respectfully submitted,

Christopher Coates, Cheshire County Administrator

Update 11/16/23

- Recently, the City of Keene did send a specially trained Paramedic to an event, the County is appreciative of that support.
- The County after talks with the City of Keene sent a contract to the City of Keene 11/13/23 for Back-up and Paramedic Services to the City of Keene and their contracted towns.

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