



## RESPONSE TO PUBLIC COMMENTS

### Revisions to Chapter 511-9-2 “Emergency Medical Services”

The Georgia Department of Public Health (“Department”) received numerous submissions, both written and verbal, in response to the invitation for public comment found in the Notice of Proposed Rulemaking issued on October 7, 2019. Each comment received was reviewed and considered by both Department staff and the Commissioner of Public Health.

The Commissioner elected to adopt the rules as proposed on November 7, 2019, and the new rules will become effective on December 9, 2019. The policies, procedures, and performance measures developed by the Department to support implementation of the rules will be posted on the website for the Georgia Office of EMS and Trauma, [dph.ga.gov/EMS](http://dph.ga.gov/EMS), as they are finalized.

Although the Department is not required to respond to public comments, the Department wishes to provide additional information to address some of the comments that were received. A brief discussion of these comments is provided below.

The Department appreciates the support of the many commenters, including private persons and entities, government-based systems, a hospital-owned EMS agency, and the Georgia EMS Association, who submitted statements in favor of the proposed rules.

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**Comment:** Several commenters asked the Department to place a limit on the number of individuals appointed to a Regional Emergency Medical Services Advisory Council (REMSAC) who may be affiliated with any one entity or organization.

**Discussion:** This option was considered in earlier drafts of the rule. However, due to significant differences in the total membership of each of the state’s 10 REMSACs, as well as the Department’s desire to ensure representation by all systems of care and to avoid the possible unintended consequences of an inflexible regulatory requirement, the Department prefers to require that each REMSAC address this issue in its bylaws. With regard to most REMSACs, the Department agrees with the commenters who suggested that no more than ten percent of a REMSAC’s members should be affiliated with the same EMS entity or organization. The Department further notes that each REMSAC’s bylaws must be approved by the Department and that individual REMSACs may choose to impose stricter standards.

**Comment:** One commenter suggested that the definition of “Public Call” should be expanded to include ten-digit calls to a Public Safety Answering Point (PSAP) as well as calls to “9-1-1.”

**Discussion:** The Department agrees. It is the Department’s intention to revise this definition as requested by the commenter in an upcoming rulemaking.

**Comment:** Several commenters mentioned that there is a need to enforce conflict of interest policies on the REMSACs.

**Discussion:** The Department agrees that preventing conflicts of interest is of paramount importance to the citizens of Georgia and the operation of the EMS system. The rules therefore require the REMSACs to address conflicts of interest in their bylaws. The Department expects each REMSAC's bylaws to include procedures for preventing potential conflicts of interest, especially when a REMSAC is considering recommendations for modification of a Regional Ambulance Zoning Plan.

**Comment:** One commenter suggested that each REMSAC should be required to establish key performance measures for its EMS Region and to review such measures on an annual basis.

**Discussion:** Although the Department agrees that performance measures are important, it prefers to adopt a more flexible regulatory requirement. The rule authorizes REMSACs to review data regarding key performance measures specified by the Department for each designated 911 Zone Provider in the EMS Region. In addition, REMSACs may establish their own performance measures and schedules of review. The Department will provide guidance to the REMSACs on how to interpret the performance measures established by the Department and how to establish regional performance measures based on patient-centered outcomes.

**Comment:** Several commenters requested that local governments and first responder agencies be given a greater voice in the selection of a designated 911 Zone Provider.

**Discussion:** The Department believes that the rules as adopted will ensure that the interests of local governments and first responder agencies are considered when a 911 zone provider is selected. The Department will provide the REMSACs with additional guidance to ensure that zoning recommendations are based on the statutory considerations of economy, efficiency and benefit to public welfare within the emergency response zone.