

Agenda  
Administrative Operations Committee **Change:**  
**January 21, 2016**  
Philomont Volunteer Fire and Rescue Company  
Company 608

1930 Hours

1. Call to Order
  - a. Approval minutes of 11/12/15 meeting (attached)
2. Update on Key Issues
  - a. Update on Executive Committee activity (AC Tobia)
3. Subcommittee Reports
  - a. Background Process Subcommittee Survey Monkey – see attached draft (Jamil Scott)
4. Discussion Topics
  - a. Fund Raising Letter Boundary Language – see attached pre-read (Ed Carmichael)
  - b. Draft SWP on Station Equipment Security – see attached pre-read (Chief Tobia)
  - c. Draft SWP on EMS Cost Recovery Financial Hardship Waiver – see attached pre-read (Chief Tobia)
5. Action Items
  - a. Approval of Language on Fund Raising Letters (from discussion)
  - b. Approval of Background Process Survey (from discussion)
  - c. Approval to return draft SWPs to the EC with Comments (from discussion)
6. Special Action Items
  - a. Election of chair, vice-chair, and secretary treasurer
  - b. Nominations to fill vacancies on the Budget Subcommittee (2-3), System Compliance Subcommittee (5), and Fund Raising Boundaries (1-2)
7. Information Sharing Across Volunteer Committees and from DFREM
  - a. R&R Committee
  - b. DFREM (Chief Tobia)
  - c. Fire Operations Committee
  - d. EMS Operations Committee
8. Announcements
  - a. Confirmation of AOC membership (changes in Company leadership) will be confirmed in January (see below)

## 9. Adjourn

n.b.: If you are sending a representative to the meeting and intend to have that individual vote on your behalf our By-laws require written authorization from you to the chair. Authorizations already on file for regular meeting attendees previously designed do not require re-authorization.

If there has already been a change in company leadership and representation to this committee will change prior to the January meeting please let the current chair know who that representative will be.

**Administrative Operations Committee  
Minutes**

**November 12, 2015**

The November meeting of the Administrative Operations Committee was held on Thursday November 12, 2015 with Company 22 hosting. Chairman Quin presided and called the meeting to order at 1930 hours. The following were in attendance:

Co. 1	Mark Arend
Co. 2	Brad Quin
Co. 3	<b>Absent</b>
Co. 4	John Moring
Co. 5	John Malone
Co. 6	Don Graham
Co. 7	Jeff Flippo
Co. 8	Ed Carmichael, Eric Shank
Co. 9	Roger Payne
Co. 10	Bob Akers
Co. 11	David Short, David Payne
Co. 12	Karen Deli
Co. 13	Rick diZerega
Co. 14	Aaron Kahn
Co. 15	Jen Ferguson
Co. 17	<b>Absent</b>
LCFR:	DC Williams, Captain Lamb, Thomas Kane, Christine Langley-Obaugh

**Minutes**

**Motion:**           **Motion made to approve the October 8, 2015 minutes with one correction and seconded by Aaron Kahn, Company 14.**

**Vote:**             **Approved with a vote of 15-0-0-2.**

**Guest Captain Lamb and Technology Systems:**

Captain Lamb provided a brief overview of Technology Systems. Discussion on functional testing, reporting capabilities as well as LOSAP integration ensued. An explanation of the software was given by Captain Lamb. Captain Lamb stated that each individual agency will have their own database within the system. Captain Lamb stated that they are building a port that will lead to a virtual desktop inside the County network that gives direct access to the platforms within the County network. Everyone will have an active directory account as well as a two factor authentication piece (hard token or application on a smart phone). The initial training will include the super user and the administrator.

**Update of Key Issues:**

**Executive Committee Update:** None provided.

Subcommittee Reports:

**Systems Financial Audit Process**—Companies 11, 12, 14 and 17 have volunteered for the second round. Company 10 was chosen as the fifth Company to participate.

**Systems Compliance Subcommittee**- According to Chairman Quin, FRG 3.6.1 has not come back from the County Attorney's office.

**R & R Committee Report**- According to Ed Carmichael, the R & R meeting was held yesterday. During the meeting, annual goals were reviewed.

Thanks to those that sent people to the recent Leadership class. It should be noted that over 50 attended. Course evaluations have been completed and feedback will be forthcoming.

Badges are expiring at the end of the year and Lauren is working to get the new badges delivered by the December AOC meeting.

Ed Carmichael stated that they are working on obtaining tech support so issues can be resolved with the edirectory.

The By-Laws have been reviewed by the R & R committee; Ed Carmichael made a motion to adopt the R & R by-laws as they have been drafted and presented to the AOC. The motion was seconded by Aaron Kahn. Discussion. Aaron Kahn suggested an amendment in Article III, paragraph 2 whereby it states that each volunteer corporation and volunteer program shall have one vote; Aaron suggested to add the word "each" between the words "shall" and "have". The motion carried as amended with no abstentions or oppositions.

**Background Process Subcommittee**-Jamil is not present, however, Chairman Quin did offer that Jamil has been working with Chief Tobia on a survey. In addition, Chief Brower indicated to Chair Quin that they are making progress on the County side for the development of the requirements to meet standards on electronic fingerprinting. Chief Williams stated there are two items in progress, one is an amendment to Chapter 258. The language has been provided to HR. The question has been raised regarding whether or not this will require a public hearing The County Attorney believes the general practices would support a public hearing. This item may carry over to the new Board in January.

Discussion Topics

**Memorandum from Company 6 re: Recruitment and Retention**- Don Graham stated that this memo came from Assistant Chief Stevens expressing an opinion about the viability of current day recruiting and retention with regard to driving factors among the current generation.

Discussion on pay per call ensued. Additional topic brought up regarding the possibility of restructuring the LOSAP Program.

Aaron Kahn stated that the algorithm could always be modified should the AOC decide to do something like this. Caution was noted, however, in delaying beginning this type of a program as it could pit companies against one another should some companies offer compensation while others do not. Consistency throughout the County would be necessary according to several AOC members.

Additional conversation centered around the number of career personnel in Loudoun that may be volunteering in Loudoun and whether or not those persons would be able to collect additional funds due to their County employment. In addition, where would the funds come from, either the County or the Company which would in turn determine possible program participants.

The root issue is retention, according to Ed Carmichael. Additional ideas have been discussed at the R & R Committee to include a possible escalator in points that you earn for longevity.

A real estate tax break is another idea, however, it does not address the younger generation. A comprehensive program may be needed.

#### Action Item

**R & R Committee By-laws-** Motion made previously in the meeting. (See above)

#### Information Sharing Across Volunteer Councils and Committees

Introduction of Eric Shank who is likely to become the President at Company 8.

Introduction of John Malone who is Bob's replacement at Company 5.

Rick Etter may step up and lead the R & R Committee next year.

**DFREM-** Deputy Chief Williams reported that the two CIP policies are tentatively scheduled to move to the Board of Supervisors on December 2<sup>nd</sup>. FRG 3.6.1 is on the County Attorney's radar for next week. The FY17 budget process includes a reduction the Kirkpatrick Farms enhancement. Hiring of personnel may be from April to June of the 2017 timeframe anticipating the opening of that facility in December of 2017. In addition, funds will be placed into the budget for volunteer backgrounds.

All Chiefs and Presidents will be receiving a letter reference PPE; Chief Williams stated they have worked with risk management and identified a non-profit who will pick up gear and will disburse it to fire departments in need. If you have gear or corporation purchased gear that you were wondering what to do with, arrangements to pick it up and transfer it over to the nonprofit can be made. The contact will be Michelle Redman.

Chief Williams also spoke about the PPE Standards Committee. He stated that their gear contract will expire in the near future. This committee will work on best practices, building a spec and system members will be invited to participate. A study was recently completed regarding gloves which led to a change for personnel.

Chief Williams also discussed SCBA. Currently, they are in the process of upgrading which will be a significant cost of approximately 6.5 million dollars. Grant opportunities will be reviewed and examined.

**Capital Policies-** Regarding the Capital policies, Chairman Quin responded to the suggestion that the agreed upon process for reviewing the failed motion on apparatus funding and the tacitly approved policy on construction and renovation, approved at the October 8 AOC meeting, were not followed. He recounted the chronology of events subsequent to that meeting and the results of the straw poll that all but three companies responded to endorsing both the change to the apparatus policy as proposed by the County and the existing construction and renovation policy. Chairman Quin stressed that if members have specific company concerns and questions regarding actions taken by the AOC that they feel compelled to direct to their respective county Supervisor that as a courtesy to all AOC members the AOC chair be informed. The Chair is responsible and able to express concerns that members have as a group.

A summary of the history of the CIP policies within the AOC was presented.

**Algorithm** – Aaron Kahn reported that the results of the algorithm this year do not work and are actively harming his company. Last year Aaron stated the company reported expenses of \$337,000. Their County contribution was cut 25% from \$200,000 to \$150,000. In sum, with \$150,000 from the County, \$45,000 from the town and \$30,000 from fundraising for a total of \$225,000. Aaron stated he is unable to cut enough to operate under \$225,000 annually. Aaron reiterated that they operate 24/7 all-volunteer. All services are bid out. Members buy their own uniforms with the exception of shirts. With a budget plan for \$285,000, which is a \$52,000 cut from last year, they are still pulling \$60,000 out of reserves. It should be noted that their reserves are not substantial and they will be unable to do this on a regular basis. Aaron is requested that the AOC take another look at the Algorithm.

Aaron proposed that a floor is set for those companies that are operational with volunteers on at least a seven day a week twelve hour a day basis to \$250,000.

Chairman Quin stated the algorithm was meant to be fair and equitable. Over the course of the last two years other concerns have arisen and adjustments made to the algorithm itself or to individual company allocations based on appeal. Additional concerns will be addressed this year in addition to Co 14's. Chairman Quin reiterated that decisions regarding the development of the algorithm and annual allocations are made with full disclosure to all companies. Such was the case this year and no objections were raised at the time by any company.

Chairman Quin reiterated that it was his opinion that in order to maintain the integrity of the process turned over to it by the BOS concerns regarding the funding distribution in general, and the algorithm specifically, be brought to the attention of the AOC first and not to county Supervisors as was the case with Co 14's concerns.

**Concern-** Ed Carmichael reported a concern that was a possible violation of the AOC by-laws. A concern was raised that the AOC was denied a voice at a recent EC meeting due to the absence of the AOC Chair. Questions arose regarding the EC by-laws. Both by-laws need to be taken into consideration regarding this issue. Chairman Quin will obtain the by-laws from the EC and look into the matter.

**Systems Compliance Subcommittee**-This committee will lose three members next year thus whoever is the Chair of the AOC in January will need to appoint three members to this committee.

**AOC**-Elections upcoming.

**Sterling Fire**- Admittedly struggling to get a fourth unit up and the County is aware. There is a possibility that staffing for a position will be placed in the budget.

### **Adjournment**

**There being no further business to discuss, the meeting was adjourned at 2125 hours.**

**The next Administrative Operations Committee meeting will be held on Thursday, December 10, 2015 at 1930 hours at the Church of Our Redeemer Episcopal church in Aldie.**

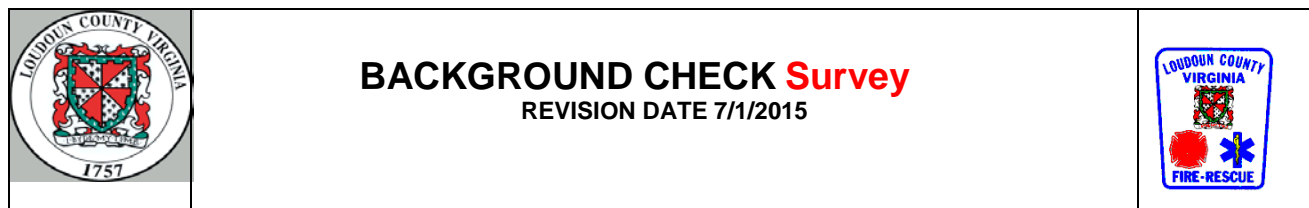
*(The address is 39518 John Mosby Highway. If coming from Gilbert's Corner, it's the first church on the right as you enter the village; if you're heading eastbound, it's the church on the left past the firehouse.)*

**Respectfully submitted:**

Christine Langley-Obaugh, M.Ed., CVA  
Executive Liaison







Please complete the below survey and return to Jamil Scott at \_\_\_\_\_.

You may edit this document or print the survey, complete it, scan it and email to Jamil Scott.

The purpose of this survey is to gain further insight into how volunteer company's process new applicants background checks; compare to the suggested process from the County and seek improvement to the County process.

Listed below are the background check steps suggested by the County. Feel free to answer survey questions as well as making comments and suggestions.

**Initial survey questions related to the current County background check service:**

- Do you currently use the background check service offered by the County? Yes or No
  - If Yes, for how long have you used the County service: \_\_\_\_\_ months.
  - If No, what process or service are you using?
  - Is there a cost to you for the non-County service? Yes or No
    - What is the approximate cost per applicant for the service?
- If you are using the County service are the results of the background check returned to you in a timely manner? (IE: within 48 hours?) Yes or No
- Who at the volunteer company will review the results of the background check?
- What is the process within your company for the internal application process?
- Once eligibility or ineligibility is determined at the volunteer company how are documents secured?
  - For how long

K. McQuaid  
Volunteer Division Manager

- Are the documents shredded? Yes or No

The following survey questions follow the flow provided in the Pilot Background Check Process. Please answer the survey questions even if you are not using the County service, allowing for your input in case you choose to begin using the service.

## **PROCESS:**

- 1. The company will provide the prospective volunteer with the attached 2 page background check application. Attachment: Sample Background Application*
  - Do you have any suggestions to improve the Pre-placement Background Check form? Yes or No
    - IE: Note the company submitting the form (to whom the applicant is applying)
    - If yes, what suggestions:
  
- 2. The company will work with LCFR and the prospective candidate to have the application completed and submitted to LCFR's Internal Affairs Officer (IAO), currently Steve VanWinkle. A parent/legal guardian must sign the application if the volunteer applicant is under 18 years of age.*
  - a. The application will be completed, notarized and provided to the station's membership coordinator along with a copy of the Social security card and driver's license. The membership coordinator will deliver all documents directly to LCFR Internal Affairs Officer, 801 sycolin road SE, Suite 200, Leesburg VA 20175. Background checks should not be sent through the courier.*

Or
  - b. The application will be completed and brought to LCFR Volunteer programs by the applicant, along with their Social security cards and driver's license. The application will be notarized free of charge by the LCFR Volunteer Program's staff, copies of SS and DL made. All documents will submitted to LCFR IAO.*
    - Does the volunteer company provide notary service? Yes or No
    - Does the applicant take the form to the County for notary at no charge? Yes or No
    - Do you have applicants who object to providing a copy of their Social Security card? Yes or No
    - Does your membership coordinator hand deliver the Pre-placement Background Check form to the County? Yes or No

K. McQuaid  
Volunteer Division Manager

## 3a

- Does the applicant deliver the document to the County? Yes or No
    - Both depending upon circumstances? Yes or No
  - Would you prefer to mail via USPS the application to the County? Yes or No
  - Would you prefer to courier (FedEx? UPS?) The application to the County? Yes or No
  - Other?
    - If yes, what?
  - Do you keep a copy of submitted documents? Yes or No
3. LCFR will enter the application into their secure online system and within 48 hours should have the results of the following background checks.
- a. **Comprehensive county criminal records search** – All counties where the applicant resided.
  - b. **Federal Criminal records search** – Includes civil search too.
  - c. **US Criminal Records Search** – National criminal search.
  - d. **National Sex offender registry search** – Identifies registered sex offenders.
  - e. **Statewide Criminal Records search** – Criminal search in states the applicant resided.
  - f. **Driver's License Transcripts** – Pulls the driver's license transcripts from participating states. PA doesn't participate so the applicant will have to pull their own PA driver's transcript.
  - g. **Social Security trace and address locator** – Confirms their Social Security number is valid and will check any names associated with the SS#. The address locator helps



**PILOT**  
**BACKGROUND CHECK PROCESS**  
 REVISION DATE 2/4/15



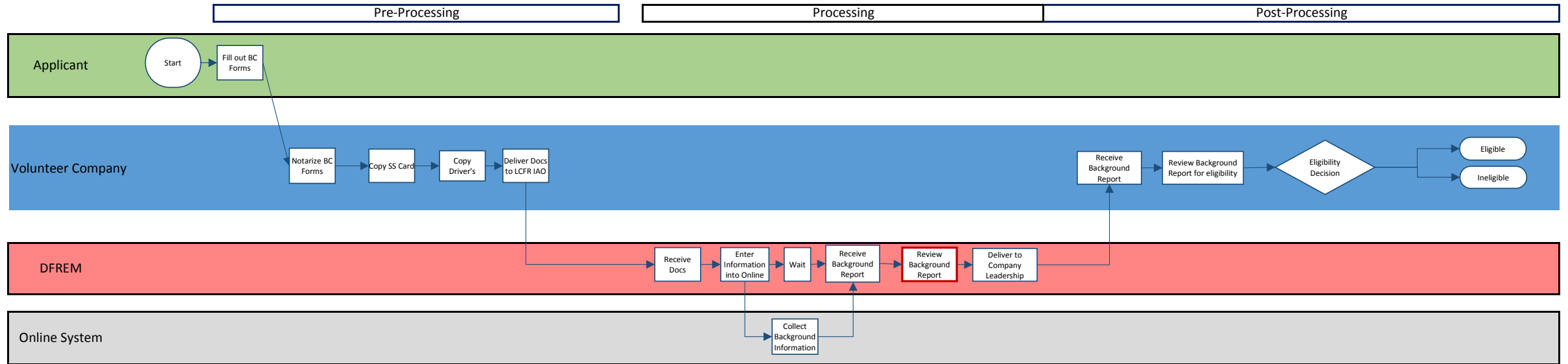
Screening One provide a more comprehensive background. County and state searches are conducted in all of the US localities where the individual lived – listed above.

- h. **Homeland Security Search** – Fire-Rescue is often targeted for infiltration of terrorist and terrorist activity. This search goes through a variety of homeland security agencies to confirm the person is not on a suspicious list. Minimal cost for the clearance confidence it provides.
4. The above noted records will be performed on all applicants but Screening One doesn't have authority to access juvenile records.
    - Are there any additional suggestions for the background check sources listed above? If so, please note below:
  
  5. *LCFR will monitor the response time to assure efficient services and notify the company leadership of delays. Delays may occur if the IAO is on leave.*
    - Will the volunteer company be tracking date/time of submittals to the County process? Yes or No
  
  6. *The LCFR IAO must review the results for outstanding warrants, wanted persons, and security threat alerts. If none of these conditions exist then the IAO will secure the report and provide it to Volunteer Programs representative to be hand delivered to the designated company leadership as scheduled by the two representatives. If the report shows an outstanding warrant, wanted, or flagged as a security concern, the IAO is required to take appropriate and legal action. Company leadership will be notified by LCFR of action taken.*
    - For volunteer companies currently using the County service, do you have recommendations to improve the above process? If so, please note below:
  
    - Would you prefer an alternate method of deliver? Yes or No
      - IE: FedEx or UPS?

7. *Once company leadership receives the background report, **it is their responsibility to review***











## **Administrative Operations Committee**

### **Fund Raising Protocols: General Fund Raising Boundaries and Notation of Agency Coverage in Fund Drive Letters**

It was recently brought to the attention of the Fund Raising Boundaries Subcommittee that there was a possible overstepping of allowable boundaries by one company into another company's first due and that the language required by our FRG identifying who the soliciting company is and why they are allowed to solicit might not have met the expected standards when there are overlapping service provision (fire service boundaries different than EMS service boundaries).

Committee chair Ed Carmichael has investigated both issues and has proposed the following topics for discussion at the AOC meeting. Please read the treatment of the issue and be prepared to discuss with the ultimate goal of clarifying language for future use.

#### **Boundary Issue**

People thought that they were being solicited by a non-provider agency. That proved to be wrong and an update of where the boundaries lie seems in order. That is an operational matter for Rick to address with company 8. As he indicated himself, boundaries shift and we do not always have a clear indicator of when or why. He has brought this issue up operationally before but made no progress from what I can discern.

#### **Concern over Wording**

Several situations exist:

- a. A Fire and Rescue Company provides both services to the same area. In this event, there is no overlap and less concern.
- b. A Fire Company receives services from one or more EMS companies. In this event, the residents of the fire company first due should expect to receive two solicitations, one from the fire company and one from the EMS company. All of Company 8's first due is this way today.
- c. An EMS Company receives services from more than one Fire Company. Very similar to b, and the residents of the EMS first due should expect to receive two solicitations.
- d. A County public safety center's first due is divided between second due companies. The residents of the first due area is divided between two or more volunteer companies and the file is provided separately. This is the language referred to in the FRG and which a statement could be developed I believe. It potentially creates the problem of having to produce a different letter unless wording can be agreed to that is universal in language. The language discussed was centered on identifying the county station as the first due provider and the volunteer as additional resources from the second due. That is what Company 4 appeared to try and be saying, but they sent it to everyone and that added to the confusion.



**LC-CFRS EXECUTIVE COMMITTEE  
ACTION ITEM**

**4b**

**SUBJECT: Station and Equipment Security**

**PRIMARY SERVICE AREA: System-wide**

**CRITICAL ACTION DATE: January, 2016**

**SYSTEM CONTACT: Matthew Tobia, Assistant Chief, LC-CFRS**

**PURPOSE:** The purpose of this item is to establish standard procedures for securing Fire and Rescue Stations and Equipment to ensure safety of all personnel.

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**BACKGROUND:** Since September 11, 2001 the Fire Rescue System's perspective on conducting day-to-day business has necessarily changed dramatically. These changes have included the need for heightened situational awareness and the need to be ever vigilant for the potential of domestic terrorism. While many years have passed since 9/11, the threat is absolute and our guard must not be lowered. Recent events have heightened our awareness of the potential for terrorist attacks. The reality of the world that we live in is not if, but when an attack will come.

**ISSUES:** Fire Rescue stations, equipment and personnel have been the subject of threats, theft and vandalism. A significant component of decreasing the likelihood of an incident centers on making it harder for would-be bad actors to gain access to critical infrastructure and assets. Hardened targets are uninviting to those who might seek to take Fire Rescue equipment and use it for nefarious purposes. It is absolutely possible to remain accessible to our customers without making it easy for criminals to take advantage of our good will and general openness. The establishment of a common sense set of procedures can standardize our approach to the safety and security of stations, equipment and personnel.

**FISCAL IMPACT:** There are no immediate fiscal impacts to this motion and policy.

**DRAFT MOTION(S):**

I move that the Executive Committee send the draft SWP: *Station and Equipment Security* to the EMS Operations Committee, Fire Operations Committee, and the Administrative Operations Committee for review. Further, I move that the Executive Committee ask that a recommendation be brought back to the Executive Committee for consideration at the January 2016 meeting.


-or-

I move an alternate motion.

**ATTACHMENTS:**

Attachment 1: SWP: Station and Equipment Security



	<b>LOUDOUN COUNTY COMBINED FIRE AND RESCUE SYSTEM SYSTEM-WIDE PROCEDURE (SWP)</b>
<b>TITLE</b>	Facilities and Equipment Safety and Security
<b>SECTION</b>	
<b>SWP#</b>	
<b>ISSUED</b>	
<b>REVISED</b>	
<b>APPROVED</b>	System Chief _____ W. Keith Brower, Jr.

**PURPOSE:** Since September 11, 2001 the Fire Rescue System's perspective on conducting day-to-day business has necessarily changed dramatically. These changes have included the need for heightened situational awareness and the need to be constantly vigilant for the potential of domestic terrorism. While many years have passed since 9/11, the threat is absolute and our guard must not be lowered. All personnel are directed to maintain the highest level of station and apparatus security possible.

**SCOPE:** This policy applies to all personnel, facilities and equipment of the Loudoun County Combined Fire and Rescue System (LC-CFRS), including all County and volunteer-owned stations, as well as support facilities.

**POLICY:** It shall be the policy of the LC-CFRS to ensure the safety and well-being of all System members and assets under the control of the LC-CFRS. The safety and security of all personnel, facilities and assets of the System are essential.

Safety, security and protection of critical infrastructure is central to insuring continuity of operations. The goal is not to restrict the public from accessing and interacting with Fire Rescue personnel in the normal conducting of business. The intent is to make it more difficult for those who would seek to target first responders or disguise themselves as first responders from doing so.

While the directives in this SWP are designed to enhance safety, it is important that they are considered minimum expectations. If you assess a threat, make the appropriate modifications to protect yourself, the public and associated property; thereafter, you should then alert an on-duty Battalion Chief for further guidance as necessary.

**PROCEDURE:** To make certain security is paramount the following actions shall be followed:

# 4b

- A. Visitors should be greeted and escorted while inside fire and rescue stations.
- B. All exterior doors of fire and rescue stations are to be locked at all times.
- C. All bay doors shall be closed when personnel are not working in the immediate area.
- D. Apparatus shall not be left unattended without being properly locked or secured. Incidents involving multiple pieces of equipment should be secured using a Staging Area Manager or Base Manager. Situational discretion should be used on incidents of smaller scale (medical calls - for example); when possible, or if there is a perceived need, an individual should be left with the equipment for security purposes.
- E. Apparatus that cannot be secured and locked during routine operations shall remain attended at all times (e.g. procurement of food at supermarket).
- F. Apparatus moved outside for preventative maintenance check/cleaning shall be secured in the station as soon as the check or cleaning is complete. Apparatus shall not be left unattended on the ramps of the station.
- G. After transfer of a patient from an ambulance to a receiving facility, EMS transport units should be secured and exterior doors locked while the vehicle is unattended.
- H. Be suspicious of individuals claiming to be associated with emergency services that are not properly credentialed. If the person cannot produce identification, they should be denied access to the emergency scene (outside of the defined perimeter) and when appropriate have law enforcement alerted.
- I. Individuals requesting access to work on Fire Rescue resources, apparatus or facilities (without prior knowledge) must produce proper identification before being given access.
- J. Individuals interested in information concerning Fire Rescue System resources, regulations, policies and procedures shall be directed to the PIO for release.
- K. Portable radios must be kept with a Fire Rescue System member or properly secured when not in use.
- L. In an effort to remove the temptation for theft, uniforms should not be left in personal vehicles, especially in plain sight.
- M. Occasionally, residents come across an item that they believe odd. That oddity often takes the form of unidentified ordinance, improvised explosive devices or hazardous materials. When this occurs, the item should be left outside of the station in an area accessible to technicians. Apparatus and personnel from the station shall be relocated to manage the incident. If the item is in a vehicle leave it in place; in all instances secure the area, deny entry and isolate, begin gathering information from the resident. Only personnel trained to do so should move or examine suspicious items - contact FMO and/or Haz-Mat depending on what is described or found.
- N. Personal vehicles are to be secured at all times.

## 4b

- O. Report any non-functioning access control systems, intrusion detection systems and video surveillance systems to the appropriate/responsible entity for repairs.

DRAFT





**Loudoun County Combined Fire-Rescue System  
FINANCIAL HARDSHIP WAIVER POLICY**

## I. POLICY

Loudoun County Combined Fire-Rescue System (LC-CFRS) EMS Transportation Reimbursement Program's mission is to provide emergency medical care and transportation to persons regardless of their ability to pay. LC-CFRS has established this Policy for the provision of Financial Hardship Waiver in accordance with Chapter 1097 of the Loudoun County, VA Code of Ordinances. This Financial Hardship Waiver Policy applies to emergency transportation services provided by LC-CFRS.

As further described below, this Financial Hardship Waiver Policy:

1. Includes eligibility criteria for the Financial Hardship Waiver.
2. Describes the basis for calculating eligibility based on current Federal Poverty Guidelines for Financial Hardship Waiver under this Policy.
3. Describes the method by which patients may apply for Financial Hardship Waiver.
4. Describes how LC-CFRS will publicize the Policy to their patients.

LC-CFRS's Financial Hardship Waiver Policy provides a 100% waiver (full coverage) for those with incomes at or below 300% of the current Federal Poverty Levels (FPL).

Financial Hardship Waiver applications must be completed for each emergency ambulance transport. The LC-CFRS Financial Hardship Waiver program is not an insurance policy. LC-CFRS encourages uninsured and underinsured patients to apply for public programs for which they may be eligible; however, failure to apply for public health insurance or medical assistance programs will not disqualify patients from applying for Financial Hardship Waiver for the current date of service.

In terms of scope, LC-CFRS will provide Financial Hardship Waiver for eligible patients according to this Policy, as follows:

1. The Financial Hardship Waiver is available to low-income patients who meet LC-CFRS's guidelines and who have partial coverage (e.g., no fault care insurance, secondary Medicaid or Medicare) but who are still unable to pay the remainder of their EMS transportation fee.
2. Financial Hardship Waiver does not include contractual allowances (the difference between the hospital/physician total charge and the negotiated insurance rate) with Medicare, Medicaid, or health plans.
3. Both non-residents and permanent residents are eligible to receive a Financial Hardship Waiver.
4. Patients are expected to cooperate with and provide appropriate and timely information to LC-CFRS to obtain the Financial Hardship Waiver or other forms of payment, and are also expected to contribute to of the cost of their care based on their ability to pay.

## II. DEFINITIONS

For the purpose of this Policy, the terms below are defined as follows:

- A. Eligible Services:** Services provided by LC-CFRS, which are eligible for a Financial Hardship Waiver includes Emergency Ambulance Transportation and Mileage to: (1) Closest, most appropriate hospital emergency facility; (2) Transfer of care to an emergency medical helicopter (landing zone); (3) Transfer of care to another emergency ambulance unit.
- B. Emergency Services:** Defined within the meaning of Title 42, § 422.113 of the Code of Federal Regulations.
- C. Family:** Using the Census Bureau definition, a group of two or more people who reside together and who are related by birth, marriage, or adoption. According to Internal Revenue Service rules, if the patient claims someone as a dependent on their income tax return, they may be considered a dependent for purposes of the provision of Financial Hardship Waiver.
- D. Family Income:** Family Income is determined as follows:
- Includes earnings, unemployment compensation, workers' compensation, Social Security, Supplemental Security Income, public assistance, veterans' payments, survivor benefits, pension or retirement income, interest, dividends, rents, royalties, income from estates, trusts, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources;
  - Determined on a pre-tax basis;
  - Excludes capital gains or losses; and
  - If a person lives with a family, includes the income of all family members (non-relatives, such as housemates, do not count).
- E. Gross Charges:** The total charges at the LC-CFRS' full established rates for the provision of patient care services before deductions from revenue are applied.
- F. Income Documentation:** Acceptable family income documentation shall include one (1) of the following:
- a copy of the most recent tax return;
  - a hospital determination of financial assistance for the date of transportation;
  - copies of the 2 most recent pay stubs;
  - written income verification from an employer if paid in cash; or
  - one other reasonable form of third party income verification deemed acceptable to LC-CFRS.

- G. Medically Necessary: As defined by Medicare (services or items reasonable and necessary for the diagnosis or treatment of illness or injury).
- H. Uninsured: The patient has no level of insurance or third party assistance to assist with meeting his/her payment obligations.
- I. Underinsured: The patient has some level of insurance or third-party assistance but still has out-of-pocket expenses that exceed his/her financial abilities.

### III. PROCEDURES

- A. Financial Hardship Waiver will be provided for Eligible Services for those patients who are uninsured, underinsured, ineligible for any government health care benefits program, or who are otherwise unable to pay for their care, based upon a determination of Financial need in accordance with this Policy. The granting of Financial Hardship Waiver shall be based on an individualized determination of financial need, and shall not take into account age, gender, race, national origin, social or immigrant status, sexual orientation or religious affiliation.
- B. Financial Hardship Waiver Eligibility Determinations.
  1. It is preferred but not required that a request for Financial Hardship Waiver contain an approved Financial Assistance waiver from the emergency facility where patient care was transferred.
  2. Eligibility for Financial Hardship Waiver will be determined in accordance with procedures that involve an individual assessment of financial need. These procedures include:
    - a. An application process, in which the patient or the patient's guarantor supply personal, Financial and other information and documentation relevant to making a determination of Financial need;
    - b. Individuals who are deemed eligible by the Virginia Uninsured Patient Discount Act. The Federal Poverty Guidelines calculations will also be updated annually in conjunction with the published updates by the United States Department of Health and Human Services;
    - c. An accounting of the patient's available assets, and other financial resources available to the patient.
  3. LC-CFRS handling of a patient's Protected Health Information (PHI) through the HIPAA Policy and Notice of Privacy Practices shall be reflected in the application process, the financial need determination and the granting of a Financial Hardship Waiver. Requests for a Financial Hardship Waiver shall be processed promptly and LC-CFRS shall make reasonable efforts to notify the patient or applicant in writing within 30 days of receipt of completed applicant documentation.

- C. Once a patient has been determined by the manager of the EMS Transportation Reimbursement Program to be eligible for the Financial Hardship Waiver, that patient shall not receive any future bills for the incident date of which the waiver was granted.
- D. Notification about the Financial Hardship Waiver is available from LC-CFRS, which shall include a contact number for the program manager, and will be disseminated by LC-CFRS by various means. These include, but are not limited to: the publication of notices in patient bills LC-CFRS will also publish and widely publicize a summary of this Policy on LC-CFRS's websites (with a link to this full Policy). Such notices and summary information and this full Policy shall be provided in the five most frequent languages spoken by the population serviced by LC-CFRS.
- E. The LC-CFRS shall comply with the program guidelines for Federal and State Laws and Regulation governing healthcare billing and collections. LC-CFRS collections policies take into account the extent to which the patient qualifies for Financial Hardship Waiver and a patient's good faith effort to comply with his or her payment agreements. For patients who qualify for Financial Hardship Waiver and who are cooperating in good faith to pay their bills, LC-CFRS may offer extended payment plans. LC-CFRS will not impose any collection actions such as: decisions to deny or defer Financial Hardship Waiver based on a patient's outstanding accounts receivable and a patient's payment history, wage or bank garnishments, liens on primary residences or estates, or other legal actions against any patient. Reasonable efforts shall include:
1. Multiple invoices (3) to the patient to inform them of the amount owed;
  2. Attempts to contact non-responsive patients via telephone or other means of communication to inform the patient of the amount owed and to discuss payment options, including eligibility for Financial Hardship Waiver;
  3. Validation that the patient owes the unpaid amount and that all sources of third-party payment have been identified and billed by LC-CFRS;
  4. Documentation that LC-CFRS has or has attempted to offer the patient the opportunity to apply for Financial Hardship Waiver care pursuant to this Policy and that the patient has not complied with the LC-CFRS's application requirements;
  5. Documentation that the patient has been offered a payment plan, but has not honored the terms of that plan.
- F. In implementing this Policy, the LC-CFRS shall comply with all other federal, state, and local laws, rules, binding agreements, and regulations that may apply to activities conducted pursuant to this Policy.
- G. Patient may apply for Financial Hardship Waiver by completing an application form. The form is available for download at <http://www.loudoun.gov/emscostrecovery> and may be requested by calling 703-737-8782 or emailing [emscostrecovery@loudoun.gov](mailto:emscostrecovery@loudoun.gov). Instructions for completion and submission of the application form are on the form itself. A request for Financial Hardship Waiver may be made by the patient, a family member, close friend, or an associate of the patient, subject to applicable privacy laws.

## H. ELIBILITY CRITERIA FOR LC-CFRS FINANCIAL HARDSHIP WAIVER PROGRAM

The tables below are based upon Federal Poverty Levels that are in effect for the 2015 calendar year, and shall be updated annually to reflect the then-current FPL.

The table below is based upon 2015 Federal Poverty Guidelines.

<b>Famil v</b>	<b>2015 Federal Poverty</b>	<b>300%</b>
1	\$11,770	\$35,310
2	\$15,930	\$47,790
3	\$20,090	\$60,270
4	\$24,250	\$72,750
5	\$28,410	\$85,230
6	\$32,570	\$97,710
7	\$36,730	\$110,190
8	\$40,890	\$122,670
9	\$45,050	\$135,150
10	\$49,210	\$147,630