

5/9/2023

Morrow County Residents,

It has been over a month since the Morrow County Board of Commissioners decided not to operate in compliance with the Ambulance Service Area Plan (ASA Plan) approved by the former Commissioners on April 28, 2021. As we head into another week of public hearings, we want to provide an update to the people of Morrow County.

- Morrow County Health District maintains that the Commissioners' efforts to re-write the latest five-year ASA Plan are not in compliance with state and local law and that Morrow County has no authority to circumvent Oregon statutes or the 1995 Intergovernmental Agreement between Morrow County and MCHD, under which **Morrow County Health District is the sole, lawful provider of ambulance service for all of Morrow County**, a commitment Morrow County has kept for over a quarter of a century.
- On May 2, 2023, an Entry of Default was entered and a Final Order was issued against Boardman Fire Rescue District as part of the Complaint Resolution process dictated by the Ambulance Service Area Plan (both 1998 and 2021 versions). **BFRD has been ordered to cease and desist engaging in Nuisance behavior per MC-C-4-98 and to pay penalties in the amount of \$169,000.**
- Morrow County's stance has been that the 2021 ASA Plan is invalid because it was not formally adopted as an ordinance after Oregon Health Authority (OHA) required changes were completed. Morrow County has not provided a local law showing this is required and on April 20, 2023, the Oregon Department of Justice confirmed that, "counties have mixed methods for initial submission of ASA plans, meaning that some have been adopted by ordinance and some have not at the initial submission phase. Most counties do adopt the final approved ASA plan through an ordinance after OHA review. Adopting by ordinance is OHA's **preference** as it facilitates enforcement and transparency for the ASA plan." **In other words, an ordinance is preferred, but it is not required.** ASA Plans were approved and signed by Morrow County Commissioners on multiple occasions after 1998 – **most recently in 2021 and 2016.**
- **Morrow County and Boardman Fire Rescue District have not shared a financial or operational plan that would provide for ambulance service to Morrow County comparable to what is currently provided by Morrow County Health District.** Chief Hughes gave a televised interview on May 1, 2023 in which he suggested that other local fire districts, largely operated by volunteers, could assume responsibility for ambulance service in the event that the Commissioners disrupt MCHD's ambulance service. No other fire district in Morrow County has endorsed this plan.



- On May 3, 2023, two public hearings were held on the topic of re-writing the Morrow County Ambulance Service Area Plan. Numerous community members and healthcare leaders attended and spoke in support of MCHD's ambulance service. There was not a single statement in support of disrupting MCHD's ambulance service.
- On May 3, 2023, against the clear advice of legal counsel (as read into the record on April 5, 2023), the Commissioners approved a letter of support for Boardman Fire Rescue District to license its ambulances. The Commissioners discussed publicly their intent for the letter to be ambiguous in terms of whether it was intended to serve as "documented need" under OAR 330-250-0215(f). **No documentation of need has been provided to nor evaluated by the Commissioners.** Public comments on May 3, 2023 pertaining to the letter were disregarded by the Commissioners. Additionally, Commissioner Wenzholz made a motion to approve the letter and voted in support of the letter despite admitting he has a "potential" conflict on this issue.

We urge Morrow County residents to attend the public hearings on May 10, 2023 at 3 p.m. and 6 p.m. and to attend future Board of Commissioners meetings to speak in support of MCHD's ambulance service.

Questions and comments can be submitted to community@mocohd.org.

Emily Roberts
Chief Executive Officer
Morrow County Health District