



# THE REVIEW

Central Arizona Fire and Medical - 8603 E. Eastridge Dr., Prescott Valley, AZ 86314 – Feb 12, 2021

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"Don't raise your voice, improve your argument."

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## The Chief's Desk

I mentioned this bill last week, but did not provide a bill number. It is my pleasure to introduce to you H2802 sponsored by LD1 Representative Judy Burges. Ambulance Services; Service Areas H2802, if passed, would give standing to cities, towns, and fire districts who do not have a Certificate of Necessity (CON). As you are well aware, the state argued, and the court agreed, that current statute does not allow non-CON holders like the City of Prescott and CAFMA to intervene in any CON hearings.

Interestingly, an ambulance service out of another part of the state has standing to intervene in hearings regarding the Quad Cities even when they have no responsibility for providing transport services to our area. Yet we, the people being served by a transport agency have no voice according to current statute. To that end, we are working to provide some focus and clarity through a change in language.

In the 1999 Arizona Auditor General's report regarding the Bureau of EMS, which falls under the Department of Health Services (DHS), the auditor pointed out that the current CON process worked in contradiction to the stated reason for the CON process, i.e. to ensure all Arizonans receive quality transport service. Nothing was changed in the CON process as a result of the report. To that end, we are recommending several additional changes. Below are four of the more significant recommendations:

1. Remove the Administrative Law Judge (ALJ) process thereby allowing the Director to determine need after ensuring the applicant is fit and proper. There would be an appeals process. As it stands today, once your packet has been deemed complete, the Bureau must notify all other CON holders asking if they would like to intervene, i.e. take the applicant to court. At the end of a costly court process, the ALJ hands down a non-binding decision to the Director of DHS who then determines need. The suggested change would align DHS with the other departments within the state, would speed the process along, and would allow monies to be used to start service rather than be wasted in court.
2. It would allow a governmental agency's CON boundaries to change as their jurisdictional boundaries change. Under the current statute, if your jurisdictional boundaries change, you have to file a request with DHS to expand your CON. Like the initial application, the request will generally end up in court at significant expense before a non-binding ruling is handed down to the Director of DHS who will then determine need. Ultimately, if the CON boundaries are not expanded, all of the citizens within the jurisdiction will pay the same tax rate, but one group will receive less service.

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### Upcoming Events:

Feb 15: State  
Labor/Management Fire  
District Funding meeting, Meet  
Dr. Allen Weiner  
Feb 16: Meet with LD1 Rep and  
Chair Zurcher, DPS Compliance  
Training, Meet Mayor  
Mangarelli  
Feb 17: PVEDF Board Meeting,  
DHS Article 9 Committee  
Feb 18: AFCA Board Meeting,  
Meet with Production  
Company re Recruit Video

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### Board Meetings:

Feb 22 Administration  
  
CAFMA – 1700-1830

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## **The New England Patriots' 7-Word Tweet to Tom Brady Is a Powerful Lesson in Emotional Intelligence**

By: Justin Bariso

What would you say if, after losing the best employee you ever had, that employee went on to lead a competitor to greatness?

Would you talk trash? Or suffer in silence?

The New England Patriots did neither of those things.

Yes, you probably heard that Tom Brady--the Patriots' former quarterback and current starting quarterback for the Tampa Bay Buccaneers--led his new team to a dominant Super Bowl win over the heavily favored Kansas City Chiefs.

After the game, the New England Patriots shared a simple, seven-word tweet:

*"Congratulations to the greatest of all time."*

These seven words are a powerful lesson in emotional intelligence, the ability to make emotions work for you, instead of against you.

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## **Ways Leadership Affects Culture and Culture Affects Leadership**

By: HR Exchange Network Editorial Team

There has been so much written on leadership in the last year, it's hard to keep track of it all. Leaders should be storytellers, communicators, holistic, strategic, encouraging, creative, conservative, risk taking, ethical, competitive, inspiring and a whole host of other attributes.

There are countless books currently available on the subject, and it would not surprise me if there were close to over half a million articles on the subject. It is the bread and butter of every consulting firm throughout the world. With so much content offering thought and insight, you have to wonder why leadership still an issue?

The answer lies with culture. The entire purpose of leadership is to create a culture. In a large and well-established organization, it can be difficult for an outsider to implement a new culture. So, does leadership create a culture or does culture create leadership? The answer to both questions is yes.

## Culture Affecting Leadership

"I have been here 25 years," said the director of a large municipality. "I have outlasted three city managers so far, and I will outlast this one." This is the attitude many leaders face, especially when they are brought in from outside organizations to run or manage large, well-established ones.

The negative cultures can especially undermine positive leadership as initiatives are actively undermined by managers who have a stake in the old culture or struggle to accept the changes inherent in the modern workplace. Whether it's through manipulation or complacency, negative cultures can create significant challenges for change. At the same time, positive leadership can overcome negative culture and turn the tide over time. A few encouraging results and positive experiences can go a long way.

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## Chief's Desk Continued

3. A language change to allow DHS to extend an emergency CON beyond the current 90 day limit. As written, an emergency CON can only be provided for an underserved area for a period of 90 days without an opportunity for renewal. An applicant must file a CON application at the time the emergency CON is granted, however the CON process can last 12-18 months. This change simply provides DHS the opportunity to extend as necessary.
4. The new language would further direct how response times are to be established. There is language in the current statute related to how DHS is supposed to set response times, however they have chosen not to follow it.

The bill was crafted with input from the AFCA, AFDA, PFFA, Metro Chiefs, and the Arizona Ambulance Association. Our hope is to have the support of the League of Towns and Cities, as well as individual towns and cities, at least as it relates to giving voice to those who do not currently have one. Additionally, there are a number of large and some small cities who are submitting CON applications. To that end, this bill would ease the financial burden created by the court costs.

As of Wednesday this week, the bill is assigned to the Health Committee in the House. We believe there is support enough to add the bill to an upcoming agenda, possibly as early as next week. Once on the agenda, we will need to provide committee staff member's additional background information for their consideration, and then reach out to all House members who sit on the committee. We will need to seek both fire officials, local elected officials, and any other stakeholders who will be willing to either sign into the system in support and/or testify.

If we get the bill heard in committee, and if it passes out of committee, the bill will then go to the COW or Committee of the Whole. This is where all Representatives in the House will vote up or down on the bill. If it passes out of the COW, it will be transmitted to the Senate. Once in the Senate, the President will have the opportunity to assign it to a Senate Committee, or put it in a drawer. If assigned, we still

have to convince the committee chair to add it to an agenda. The process is a repeat of what happens on the House side. If approved in committee and then in the COW, it can be transmitted to the Governor's office for his signature. The Governor can sign or veto.

As you can see, this is a complicated and drawn-out process. While we believe the language changes we've recommended are both reasonable and needed, it's quite possible others may disagree. I know, strange right... Politicians or interests groups at odds? Say it isn't so.

This will be heavy lift, but not impossible.

I testified in the Senate Wednesday morning regarding our Certificate of Participation (COP); Pension Refinance Bill. It passed out of committee, but not without a bit of push back. I was challenged by one Senator who likened refinancing to swapping debt for debt, said we continued to kick the can down the road ignoring the problem, and that we need to fix the problem we created. Regarding the refinance, I explained that access to a COP merely allowed us to refinance at a lower interest rate no different than refinancing a home loan. Over the life of the loan – 20 years – we would save taxpayers an estimated \$20 million dollars. He seemed to ignore the idea of saving taxpayers money and just accused us of kicking the can. I then reminded him that Fire Districts have no tools outside of increasing property taxes to pay down the debt. Once an agency hits the property tax rate cap, they would have no options available other than to cut personnel and services to pay the debt. To that end, we need access to the same tool our municipal partners have available to them.

At one point he blamed us for creating the problem and stated it was ours to fix. Fortunately, my thinking brain kicked in before my feeling brain let go of my tongue. I remained fixed on the bill and did not take the bait. That said, it would have been a good time to remind him that we do not work for, own, or have any say regarding PSPRS. In fact, it is a state entity overseen by state elected officials. To that end, as a state elected official maybe he should fix the problem and stop placing blame on others. While it would have felt good saying it, shifting from factual testimony to personal retorts would not have benefited our cause. I mean, it would have been funny, from my perspective, but not helpful. See, I can learn.

The mirrored bill still needs to be heard in the House. It was scheduled for Wednesday, but the committee session went too long so it was delayed and will be heard next week – hopefully. More fun to come on all fronts related to the legislative session. Stay tuned and maybe we will see some good things happen.

On the Federal level, our bill to ensure Fire Districts are included in future COVID relief funding is in play. I received a call from the President of the Fire District Association in Utah earlier this week with some questions regarding some of the language in the bill. Fortunately, Utah is one of many states signed on in support. I received word Thursday night that the House did not take up this bill. It seems it may stand a better chance in the Senate. Stay tuned for more on this one.