



# EMS Trust Fund Guide and Funding Application

EMS Reference 812: Revised September 2019

## **Purpose**

The purpose of the EMS Trust Fund Guide and Funding Application is to provide an explanation of the trust fund, identify how spending is authorized, how EMS System Stakeholders may access funds, and the purpose and intent of the fund.

## **History of the EMS Trust Fund**

In October of 2001 the County entered into an agreement with American Medical Response for the provision of 911 emergency ambulance services in the County Exclusive Operating Area (all areas of the County with the exception of the City of Palo Alto and Stanford Lands Parcels). The agreement included the assessment of fines and penalties when the ambulance provider failed to meet standards contained in the agreement such as response times. The EMS Trust Fund was established as an independent account to separate fine and penalty revenue collected from the ambulance service from EMS Agency general operating funds. The deposit into the EMS Trust Fund served as a method to keep fine and penalty revenue collection transparent to the public and to address any concerns that the EMS Agency could predatorily penalize the ambulance services in order to increase revenue to the EMS Agency.

The contract included the requirement that fines and penalties deposited to the EMS Trust fund were to be used for projects that would provide for (1) enhancements to the Santa Clara County EMS System and (2) were required to provide a countywide benefit to the Santa Clara County EMS System. The intended beneficiaries of the EMS Trust Fund were the County and those providing EMS services within the County Service Area excluding the 911 ambulance service provider from which the revenue was collected.

Expenditures from the Trust Fund are authorized by the Board of Supervisors. Annually, the County Emergency Medical Services Director makes recommendations to the Board through the EMS Committee and Health and Hospital Committee. Prior to 2011, EMS Trust Fund revenue was used to off-set the budget of the EMS Agency within the Public Health Department. The new County Exclusive Operating Area Agreement which became effective in July of 2011 included a new County EOA Franchise Fee that eliminated the need to use Trust Fund revenue to off-set Public Health Department costs. Prior to the execution of the July 2011 agreement, the Board approved a revision to EMS Trust Fund process so that expenditures would be classified in various categories that would benefit the entire EMS System with the exception of times when the County may be in an extreme financial hardship. The revised process also required that a percentage of annual revenue be retained as a System Reserve should the EMS System be impacted by unforeseen financial burden.

In July 2011, fire departments (except the City of Palo Alto) executed agreements with the County to become EMS System Providers. Fire departments (except the City of Palo Alto) were also provided with the opportunity to voluntarily participate in accessing available first responder funding that was acquired by the County through the County Service Area EOA agreement for meeting criteria such as response times, use of emergency medical dispatch, and participation

in countywide EMS efforts.

### **Liquidated Damages and Fines**

The revenue that is accrued in the EMS Trust Fund comes from variances in either the County Service Area EOA ambulance provider or the fire departments that participate in the voluntary first responder funding program within the County Service Area EOA. Revenue that is collected due to late response time performance is called liquidated damages.

### **EMS Trust Fund Expense Categories**

The EMS Trust Fund consists of four expense categories; EMS System Reserve Investment, EMS System Support – Training, Education, and Recognition, Benefit to EMS System Users, and EMS System Strategic Initiatives. Each year the EMS Agency submits a budget to the Board of Supervisors for approval that addresses each of the categories identified below.

#### **Category A: EMS System Reserve Investment**

The EMS Agency reserves at least 20% of annual fine/penalty revenue (received as liquidated damages) for significant strategic projects that serve the benefit of the EMS System with a longer range focus, and as approved by the Board of Supervisors.

The intention of the reserve was to realize modest growth over time so that these funds could be used should the Emergency Medical Services System experience an unforeseen hardship or incur an unanticipated financial burden such as failure of the ambulance service provider, extraordinary increase in cost of services or supplies. Due to recent changes to the contracted ambulance provider agreement, the department does not expect increased revenues but in turn reduced amounts, as has been the trend that last couple of years.

### Category B: EMS System Support - Training, Education & Recognition

Funding authorized in this category is used for annual training, education, exercise, and EMS provider recognition. The EMS Agency will include an allocation each year within the County Budget. Amounts budgeted may be transferred between any line item identified below should request or needs fall below the amounts allocated.

The EMS Agency will authorize individual expenditures up to this amount and unused authorized funds would be retained in the EMS Trust Fund for use in future years. Expenses authorized in this category include, but are not limited to:

- EMS System Information to the Public
- Training (not funded by grants or other sources)
- Exercises (not funded by grants or other sources)
- Annual County EMS Conference
- EMS Provider Recognition and National EMS Week

### Category C: Benefit to EMS System Users

In the fall of each year, the EMS Agency will determine a reasonable allocation for this category subject to Board Approval in the spring of each year. Projects in this category are generated from Santa Clara County EMS System Stakeholders, such as fire departments, County Communications, ambulance services, dispatch centers, and the EMS Agency. Requestors must have executed a current agreement with the County (EMS Provider Agreement, 911 Receiving Facility Agreement, etc.) to receive funding from the EMS Trust Fund. Projects funded in this category are generally one-time/short-term that solves a problem, fills a gap, or assists in completing a larger EMS System project that (1) enhances and/or (2) provides a countywide benefit to the Santa Clara County EMS System.

Projects submitted for approval are first reviewed by EMS Agency staff. The results of the staff review, including the recommended and not-recommended project packets are then provided to the EMS Committee (EMCC) for review. The EMCC Chair will seat a subcommittee, EMCC Trust Fund Advisory Group to review the project packets which consists of five (5) members that best represent the diversity of the Santa Clara County EMS System. The County Service Area ambulance provider may not a member of this subcommittee.

The County Service Area contracted ambulance provider may not submit proposals or benefit from allocations in this Category unless the funded project provides funding or services for all Santa Clara County EMS System Providers.

The process for submitting requests for Category C Funds are included in Appendix A: Funding Application. Unused authorized funds are retained in the EMS Trust Fund for use in the future years or moved to Category A in the next fiscal budget year.

#### Category D: EMS System Strategic Initiatives

Projects in this area focus on the development and fulfillment of strategic initiatives that will improve the Santa Clara County Emergency Medical Services System. Projects in this area may cross over fiscal years and may take multiple years to implement or complete. The EMS Agency includes these projects in the annual County Budget process.

#### **Disbursement of Funds**

The disbursement of funds is subject to the terms and conditions established in a written agreement between the County and recipient of the funds. In the event that the County is the recipient of the funds, County financial processes and policies apply.

Based on the nature of expenditure, the County will be the fiscal agent for the project and is required to make purchases and disburse funds only as authorized by the County Procurement processes. This means that even though an external party has requested the purchase of equipment or a service, County standards apply.

In some cases, the County will purchase equipment or services on behalf of the EMS System. These services and/or equipment may be provided to the Stakeholders for use; however the County will then retain ownership of the deliverables.

#### **Reporting**

The status of the EMS Trust Fund is provided quarterly to the EMS Committee and annually to the Board of Supervisors. The reports include revenue, expenditures, status of progress of approved projects, and future EMS Trust Fund spending recommendations. These reports are posted to the EMS Agency website and are also available by request.

#### **Solicitation of Projects**

Each year, the EMS Agency will solicit projects from EMS System Stakeholders to be funded through allocated Category C Funds. Based on the County Budget Process, the solicitation will be released with an estimate of available funds. Once the Board of Supervisors has approved the County Budget, approved requests will be adjusted to meet the actual allocation authorized by the Board.

## **Appendix A: Funding Request – Category C**

### **Eligibility**

To be eligible for funding, the organization must (1) hold a current written agreement with the County EMS Agency and/or be a County government agency and the project requested must either (2) provide a countywide benefit in support of the County Service Area and/or (3) enhance the County Service Area. The County Service Area contracted ambulance provider may not submit requests, except as identified in the EMS Trust Fund Guide.

If the above criteria are satisfied, the project must then be reviewed by at least one of the following recognized EMS System Stakeholder Advisory Groups. If a project has not been reviewed by at least one of the groups identified it will not be considered for funding. The applicant must include either meeting minutes, a letter of support, or other written verification from the committee that reviewed the proposal.

#### **Designated EMS System Advisory Review Groups**

##### **Non-Fire Service Providers**

Prehospital Providers Advisory Committee

##### **Fire Service Providers**

Santa Clara County Fire Chiefs Association

##### **Hospitals**

Emergency Department Nurse Managers / Santa Clara County Hospitals Emergency Preparedness Partnership

##### **Other Applicants within the Santa Clara County EMS System**

Santa Clara County EMS Agency

### **Samples of Desirable Projects**

- Programs that provide both a countywide benefit and enhancement of the County Service Area 911 System.
- Proposals from organizations that have experience in the provision of the services to be provided.
- Programs that provide an in-kind financial contribution.
- Programs that provide for operational and financial sustainability.
- Programs that support the EMS System strategic plan, initiatives, or
- Programs that are reproducible and/or are publicly accessible.
- Projects that fill gaps in systems, services, or initiatives that may have been underfunded but are supported by the EMS System.
- Programs that require no on-going costs, support, or maintenance.
- Programs that may supplant a proposer's obligation to provide such services or financing for same.
- Project plans and deliverables that clearly demonstrate a rapid project implementation and completion.

In the event that a program is funded, the organization will be required to enter into a written agreement with the County unless the County is the purchaser of the services or products requested.

The following requirements are part of the requesting organizations obligations to the County.

- Provide an accounting of all expenditures and including support documentation that may include, but is not limited to, receipts, invoices, balance sheets, copies of warrants, etc.
- Return all funds allocated to the project that cannot be completed within the established time lines by June of each year (unless the County and organization have agreed to other timelines). Under most circumstances, award notification will be made in fall of each year and approved projects must be completed by May of the same fiscal year.
- Acknowledge the Santa Clara County EMS Trust Fund and the Santa Clara County Emergency Medical Services System in all informational, marketing, printed, or media materials.
- Any project modifications must be approved by the County.
- All purchases will be made in accordance with established County accounting and purchasing policies. The funded organization must work with the County to procure quotes, assist in request for proposals processes, and recommend appropriate vendors acceptable to the County.
- Participate in appropriate Santa Clara County EMS System Stakeholder Groups.

## Submitting a Funding Request

A written request (attached form) shall be submitted to the EMS Agency for review. All proposals must be received by the EMS Agency by the date identified in the EMS Trust Fund Solicitation.

The EMS Agency will conduct a review that will include, but is not limited to, applicant eligibility, evaluation of proposed countywide benefits and the ability of the project to enhance the entire Emergency Medical Services System. All requests will then be reviewed by the EMCC or a designed subcommittee.

### Process

The process below will be used for the solicitation, review, and announcement of Category C Trust Fund requests. A specific timeline will be included in the solicitation announced by the EMS Agency.

<b>Solicitation Announced</b> <ul style="list-style-type: none"><li>• The EMS Agency will announce an open solicitation period for Category C Trust Fund project applications.</li></ul>
<b>Prepare Application Packet</b> <ul style="list-style-type: none"><li>• Complete the application form provided in Annex A.</li><li>• Have project reviewed by appropriate Stakeholder Committee.</li><li>• Submit any supplemental information required such as deliverables, letters of support, budgets, etc.</li><li>• Submit the application by the date identified in the solicitation.</li></ul>
<b>Review</b> <ul style="list-style-type: none"><li>• EMS Agency Staff will review each proposal and make recommendations to the EMCC Trust Fund Advisory Committee.</li><li>• The EMCC Trust Fund Advisory Committee will review all proposals and then make a recommendation to EMCC.</li><li>• The EMCC Chair will then make a recommendation to the EMS Director.</li><li>• Proposers may be requested to make project presentations at the EMCC (or advisory group) meeting.</li></ul>
<b>Notification and Award</b> <ul style="list-style-type: none"><li>• The EMS Director will determine which Category C projects will be funded.</li><li>• The EMS Agency will notify all applicants of the status of requests.</li><li>• Those selected for funding will enter into agreements, if needed, with the County and begin project work.</li></ul>
<b>Project Completion</b> <ul style="list-style-type: none"><li>• Funded organizations will provide project updates to the EMS at least quarterly or as identified in a written agreement.</li><li>• The EMCC will be provided with quarterly updates as to the progression of Category C projects.</li><li>• A final implementation report will be provided to the EMCC when a project is completed.</li></ul>



**County of Santa Clara  
Emergency Medical Services System**



**Emergency Medical Services Agency**  
700 Empey Way, Suite 110  
San Jose, CA 95128  
408.885.4250 voice 408.885.3538 fax  
www.sccemsagency.org

**EMS TRUST FUND PROJECT REQUEST  
CATEGORY C**

Date: \_\_\_\_\_

\_\_\_\_\_-\_\_\_\_\_  
EMS Agency Use Only

**Section I: General Information**

Organization Name:

Address:

Telephone:

Fax:

Email:

Contact Person:

Title:

Project Name:

Requested Funding Amount:

**Eligibility**

To be eligible for funding, the applicant and project must meet the following two criteria.

Does your organization hold a written agreement with the Santa Clara County EMS Agency and/or are you a County government agency?

Does the project provide a countywide benefit in support of the County Service Area and/or enhance the County Service Area?

## **Section II: Project Summary**

***□ Provide a brief summary of your request (a more detailed description should be included with this packet).***

***□ Describe how this project will enhance the County Service Area.***

***□ Describe how this project will provide a countywide benefit.***

***□ Provide a list of recognized stakeholder groups, community based organizations, Agency advisory committees, that support this request. Please include contact information, affiliation, and a letter of support from each.***

### **Section III: Finance**

***□ Attach a copy of the program budget including a list of all estimated costs. Include copies of quotes from vendors (at least three) if the request is for material goods or services to be purchased by the County or organization.***

***□ Identify in-kind contributions your organization or partner organizations' are providing to the project. If a partner organization is involved, attach a statement from that organization that identifies the in-kind participation.***

***□ Identify what other sources you have attempted or are attempting to access to fund this project. Provide the status of each.***

***□ If your organization does not attain funding from the Trust Fund, how will the project be funded/implemented? Please also discuss if less than the requested amount was provided, what portions of the project could be completed.***

#### **Section IV: Sustainability/Coordination**

***□ Describe how this project will be sustained after the Trust Fund monies have been used.***

***□ Explain how your organization will integrate the Santa Clara County Emergency Medical Services Stakeholders into the project (including program delivery, accessibility, marketing, media, public relations, etc.).***

## **Section V: Submission**

***Submissions not meeting the criteria established herein will not be considered.***

- List all additional attachments (other than those required in the application)
- Any additional materials, beyond those requested, that support or describe the proposed project should be included.
- Submissions must be provided electronically in an editable format by the date identified in the Notice of Solicitation.