

9/2/2025 - Fort Ann Rescue Squad - Lake George, NY

STATE OF NEW YORK

DEPARTMENT OF HEALTH

Proceeding on an Application of Fort Ann Rescue
Squad, for a C.O.N. Expansion.

PUBLIC HEARING

DATE: September 2, 2025

TIME: 10:04 a.m. to 11:31 a.m.

LOCATION: 48 Canada Street

Lake George, New York

BEFORE: LEE BURNS, Hearing Officer

Reported by Danielle Christian

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2 APPEARANCES:

3 REGINA LADD, President
4 DAKOTAH OLCOTT, Vice President
5 STORM TREANOR, Treasurer
6 PAUL ZINN, Board Member
7 JACK TIMS, Board Member
8 ROBERT MCPHERSON, Board Member

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2 (The hearing commenced at 10:04 a.m.)

3 MR. OLCOTT: All right, everybody, I'm
4 going to call this hearing to order regarding the
5 C.O.N. expansion for Fort Ann E.M.S. Ms. Lee Burns,
6 she's going to be the Hearing Officer for today's
7 activities. Whenever you're ready, ma'am.

8 THE HEARING OFFICER: So, good
9 morning. This is a public hearing for the Fort Ann
10 application for determination of public need for
11 expanding operating authority for the ambulance
12 services required by article 30 of the New York State
13 Public Health law. I forgot to ask, are you ready?

14 COURT REPORTER: Can you pull that a
15 little closer?

16 THE HEARING OFFICER: The purpose of
17 today's hearing is to provide a technical review and
18 objective evaluation of the applicant's statement of
19 deed, as well as hear testimony. During the hearing,
20 the committee of the REMSCO may hear witnesses,
21 receive written statements, ask questions, accept
22 testimony in any form that will lend creditability to
23 the hearing and the REMSCO determination.

24 Article 30, section three thousand
25 three, sub five of Public Health Law states the

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2 REMSCO shall have their responsibility to make a
3 determination of need for the establishment of
4 additional emergency medical services and ambulance
5 services and to make determinations of public need as
6 provided in section three thousand eight.

7 The New York State E.M.S. Council and
8 the Department of Health have defined public need as
9 the demonstrated absence, reduced availability, or an
10 inadequate level of care and ambulance or an
11 emergency medical service available to a geographic
12 area which is not readily correctable through the
13 reallocation or improvement of existing resources.

14 It should be noted that in accordance
15 with policy statement 0 six 0 six, the application
16 bears the burden of proof for the determination of
17 public need. It is the intent of the public
18 application and hearing process to obtain input from
19 all who may use, provide, pay for or participate in
20 the E.M.S. system.

21 Does anyone have any questions? With
22 that I would say that actually -- so are you are
23 representing the applicant? Can --

24 MR. MCPHERSON: The two of us are,
25 yes.

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2 THE HEARING OFFICER: Okay. I -- go
3 ahead.

4 MR. MCPHERSON: You want to say
5 anything first?

6 MS. LADD: No, go ahead.

7 MR. MCPHERSON: Oh, I got a pile of
8 notes here.

9 THE HEARING OFFICER: There you go.

10 MR. MCPHERSON: Okay. You want me to
11 state my name for the recording?

12 THE HEARING OFFICER: Yes, please.

13 MR. MCPHERSON: My name's Robert
14 McPherson. I'm a volunteer paramedic with Fort Ann
15 Rescue Squad. I also sit on the Board of Directors
16 alongside Regina Ladd, the President of the Board of
17 Directors.

18 First, we want to thank everybody for
19 coming to the hearing today. The -- the Board of
20 Directors at Fort Ann wants the healthy discussion to
21 explore all the -- the nuances of this -- this --
22 this issue, and we're happy to have that
23 conversation.

24 Fort Ann believes that the need for
25 the -- the Glens Falls Hospital and the greater

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2 community as a whole necessitates more involved
3 parties in the service of transportation of the sick
4 and injured from one hospital to another. Our track
5 record for the last two years as -- as we can show
6 and we've submitted the documentation to support
7 that, that there's plenty of room in this -- in this
8 community for more than one provider. Just -- just
9 our sheer call volume numbers speak to that.

10 Our -- our business model was born out
11 of necessity for Glens Falls to serve the community.
12 It wasn't by any intentional design. But the -- the
13 -- the need existed and we fulfilled it and we have
14 been for the last year and a half. We've added
15 resources, we've added manpower, we've added
16 vehicles, we've added shifts to accommodate that.

17 In addition to that, our community at
18 Fort Ann has also benefited from the added staffing
19 ability, the added vehicles and resources, the
20 training experience gained through the increased call
21 volume. We -- we haven't yet found a -- a -- a
22 detriment to our community whatsoever.

23 In the last four years, we haven't
24 dropped the first call in the district. In the last
25 two years, we've only dropped two. They were second

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2 and third calls.

3 MS. LADD: Fourth and fifth.

4 MR. MCPHERSON: Fourth and fifth calls
5 as a matter of fact. For a town of our size, that's
6 -- that's practically unheard of being able to do
7 that while also supporting the -- the Glens Falls
8 Hospital and their transportation needs.

9 So far to date, we -- we've assisted
10 with doing approximately twelve hundred transfers out
11 of Glens Falls Hospital, in addition to Warrensburg
12 doing around five hundred, Moreau doing about four
13 hundred. This totaling for 2025, that's about
14 twenty-one hundred patients that the primary C.O.N.
15 holders weren't able to facilitate. And it's not for
16 us to decide whether they can or cannot, but they
17 have not. That's -- that's the fact. And we've been
18 able to help offset that.

19 We also do want to -- as Fort Ann, we
20 would love to endorse any other applicant that wants
21 to file for expansion to help serve the Glens Falls
22 Hospital. The faster patients move out of Glens
23 Falls Hospital to where they need to be, the faster
24 our emergency nine one one patients get through the
25 door and get a bed inside. So we're -- this isn't a

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2 one man show here, one agency show. We're -- we're
3 happy to have all the help we can -- we can give. We
4 can't do it on our own, Ambulzn can't do it on their
5 own, Glens Falls Fire Department can't do it on their
6 own.

7 Twenty-one hundred calls a year just
8 from the -- us three, nobody can do that on their
9 own. We just want to be doing it correctly. I think
10 that's the end of speech.

11 THE HEARING OFFICER: Tell me your
12 name again.

13 MR. MCPHERSON: Bob. Common spelling
14 B-O-B.

15 THE HEARING OFFICER: Thanks.

16 MR. MCPHERSON: You are welcome.

17 THE HEARING OFFICER: Okay. Anyone
18 else wish to speak in favor of the application?

19 MR. WILLIAMS: Yeah, I can. Do I need
20 to step up the mic?

21 THE HEARING OFFICER: Yes, and please
22 sign in.

23 MR. WILLIAMS: Okay.

24 THE HEARING OFFICER: So legibly --
25 preferably.

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2 MR. WILLIAMS: Anybody got a pen?

3 COURT REPORTER: If he can state his
4 name Ms. Burns?

5 THE HEARING OFFICER: Yeah, state your
6 name.

7 MR. WILLIAMS: Came unprepared for
8 signing anything. All right. My name's Thomas
9 Williams. I am a Glens Falls E.R. Doctor and Medical
10 Director for local regional agencies.

11 And yeah, I'm -- I'm here just to
12 support the application as well. You know, as a E.R.
13 doctor, I function in this hospital and we
14 desperately rely on all of our local agencies for
15 services to transport out of the hospital. We're a
16 high-volume hospital, and we serve a critical patient
17 population that needs access to Albany Medical
18 Center, and we have no other way to do it other than
19 relying on our regional partners.

20 You know, we do have a contract right
21 now with Ambulnz and they do transport a percentage
22 of our patients, but we have to rely on our other
23 regional partners to do that. There's many agencies
24 in this area that contribute to that transport need.

25 Right now, Fort Ann has taken the

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2 initiative to build a dedicated program. I think
3 they've done a really good job of building out a
4 independent resource separate from their primary nine
5 one one response to serve the transport needs of the
6 hospital. They've done a great job of staffing it,
7 and they do an excellent job in responding promptly
8 to our requests.

9 Without Fort Ann and without our other
10 regional partners, the E.R. would cease to function
11 because we would get critically overwhelmed with
12 patients very quickly if we can't transport out. And
13 relying on one single agency in this area for
14 transports is not feasible because no matter how
15 well-staffed they are, there's no real way to
16 transport every patient in the timely manner that we
17 need and that the patients need to service them
18 adequately.

19 So, while I think Ambulnz does a good
20 job in transporting the patients that they do
21 transport, they can't fulfill all our needs and we
22 need our other regional agencies to help us with
23 that. If this is a step in that process, I fully
24 support it.

25 THE HEARING OFFICER: Thank you.

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2 MR. WILLIAMS: Thanks.

3 THE HEARING OFFICER: Is there anyone
4 else who wishes to speak in favor of the application?

5 MR. SEXTON: I'll speak. Mine is not
6 necessarily in favor, I'm just going to come in as a
7 neutral party. I do a little -- I'm going to take
8 off my hat. I apologize. I wear a hat all the time
9 in the summer so the top of my head is white.

10 THE HEARING OFFICER: Please say your
11 name.

12 MR. SEXTON: Sure. It'd going to be
13 Michael Sexton, Town of Fort Ann Deputy Supervisor.
14 All right. Good morning, Board. My name is Michael
15 Sexton, I'm the Deputy Town Supervisor for the Town
16 of Fort Ann.

17 I'll start by first mentioning that
18 our town is very lucky to be served by such a
19 dedicated and professional E.M.S. service. As a
20 former member of the rescue -- the Fort Ann Rescue
21 Squad, I know firsthand the challenges associated
22 with running a full-time E.M.S. agency. As a Town
23 Councilman, I also understand firsthand the
24 challenges faced by communities in funding their
25 local emergency services.

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2 In a field with ever-rising
3 operational costs and dwindling manpower, it becomes
4 critical for E.M.S. agencies to explore ways to
5 supplement additional revenue. While Fort Ann E.M.S.
6 seems to have found an avenue which provides them
7 with supplemental income, it does come with a does
8 come with a degree of concern, especially for our
9 local municipality.

10 Fort Ann has done a great job of
11 increasing their assets to meet the demands of their
12 transport service. However, if at the end of the day
13 this venture does not work out, how does it affect
14 our community? That is our main focus as a Town
15 Board in Fort Ann.

16 Transport E.M.S. has an incredibly
17 high incidence of employee turnover. I can speak to
18 this, I worked for Empire for ten years. Employees
19 often find themselves burnt out in just a few short
20 years. The vehicles used for transports often tend
21 to have a shorter life expectancy and require a
22 higher degree of maintenance than those used
23 specifically for emergency responses in just the
24 local jurisdiction. If at the end of this, it is
25 unsuccessful and not the profitable long-term venture

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2 it was portrayed to be, the question becomes what
3 happens. Is it a -- is a fear amongst those in our
4 community that Fort Ann would be forced to liquidate
5 assets and begin to lay off employees.

6 There's no doubt that that scenario
7 has an impact to our local E.M.S. responses in the
8 Town and Village of Fort Ann. But we acknowledge
9 that we are in no position to tell Fort Ann E.M.S.
10 how to operate, we do feel slight -- we do feel a
11 little slighted that there has been very little to
12 almost no communication between the town and Fort Ann
13 E.M.S. when it comes to this expansion. You may
14 notice that other municipalities in Washington County
15 were sent certified letters of intent. However, the
16 Town of Fort Ann, the local government body, was not
17 sent the same certified letter, nor was the Village
18 of Fort Ann. I do hope this was an oversight and not
19 one by design.

20 It is our belief at the Town of Fort
21 Ann that Fort Ann E.M.S. could have been more
22 forthcoming and informative with their intentions.
23 That's would have allowed us to do our diligence and
24 allowed our constituents in the Town of Fort Ann to
25 ask questions and voice their concerns. We ask that

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2 before moving forward with granting this expansion,
3 you take the time to consider the potential negative
4 impacts this may have on our local municipality,
5 which is served by Fort Ann E.M.S.

6 I'm a staunch supporter of Fort Ann
7 E.M.S. I love and appreciate every member and
8 employee they have. I find their service and
9 dedication unwavering. I just ask this Board and the
10 governing board of Fort Ann E.M.S. to ensure that
11 every I is dotted and every T is crossed. We must
12 ensure that this new potential venture doesn't
13 interfere in any way with the service we provide to
14 our taxpayers in the town. Thank you.

15 THE HEARING OFFICER: Is there anyone
16 else who wishes to speak in favor of the application?
17 I'll ask two more times and then -- is there anyone
18 else who wishes to speak in favor? Anyone else who
19 wishes to speak in favor of the application? Seeing
20 no one jumping forward to speak I will ask, is there
21 anyone who wishes to speak in opposition of the
22 application? Is there anyone who wishes to speak in
23 opposition of the application?

24 MR. MODERT: Good morning. I'll hand
25 a copy of what I'm getting ready to talk about here.

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2 THE HEARING OFFICER: Oh, you make my
3 life so much better.

4 MR. MODERT: I'll keep it simple as I
5 know that other agencies will want to say something
6 as well. So, I'll try not to steal their thunder in
7 the process.

8 My name is Issachar Modert, I'm with
9 the City of Glens Falls Fire Department, Deputy
10 Chief. As you may or may not know, City of Glens
11 Falls is one of the entities that does hold the
12 C.O.N. for the City of Glens Falls, which also
13 entails the hospital.

14 So with that being said, I would like
15 to make this official. On behalf of the City of
16 Glens Falls Fire Department ambulance, we
17 respectfully submit this letter in opposition to the
18 pending certificate of need application for a new
19 ambulance service intended to provide transport
20 services exclusively for the hospital discharges
21 within our district.

22 One, existing coverage is sufficient.
23 Currently, there are three E.M.S. agencies, or soon
24 to be, including the City of Glens Falls Fire
25 Department ambulance hold valid C.O.N.s within this

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2 district. Collectively, these agencies provide
3 comprehensive emergency and non-emergency transports
4 to the entire community. There's no evidence of any
5 unmet need or lack of service capacity that would
6 justify the issuance of an additional C.O.N. The
7 public's emergency medical needs are being adequately
8 addressed under the existing system.

9 Two, hospital's only service is not
10 community E.M.S. It is not part of the nine one one
11 service. Yes, E.M.S. agencies under Article 30 of
12 New York State Public Health Law exists to provide
13 service to the community at large, not serve the
14 isolated businesses and their interests of a single
15 institution. Granting a C.O.N. for a hospital-only
16 transport service would distort the intended purpose
17 of the statute. Such an arrangement would establish
18 a precedent that undermines the role of E.M.S. as a
19 public safety function supported by and accountable
20 to the entire community.

21 Three, duplication creates
22 insufficiency and waste. Introducing an additional
23 E.M.S. agency for the sole purpose of hospital
24 transport would unnecessarily provide duplicate
25 services already being provided. This will fragment

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2 call volume, reduce operational efficiency, and
3 undermine the financial stability of existing
4 agencies. New York State law requires proof of
5 public need, not institutional convenience as a basis
6 for granting a C.O.N. No such proof has been
7 demonstrated in this case.

8 Risk of public safety and taxpayer
9 burden. The City of Glens Falls Fire Department
10 ambulance, like many municipal E.M.S. providers, is
11 supported in part by taxpayer funding to guarantee
12 emergency response readiness. Allowing a hospital-
13 only ambulance provided -- provider to siphon off
14 profitable transports would weaken the financial
15 foundation of public E.M.S. This could result in
16 higher cause for taxpayers, reduced capacity for
17 emergency response, and ultimately a negative impact
18 on public safety.

19 In conclusion, there is no
20 demonstrated public need for additional C.O.N. within
21 this district. Existing E.M.S. agencies already
22 provide comprehensive coverage, and the proposed
23 hospital only service would duplicate services, waste
24 resource and undermine both public safety and the
25 financial stability of the current system.

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2 For these reasons, we are respectfully
3 -- respectfully request the regional E.M.S. Council
4 and the New York State Department of Health to
5 disapprove this application. The City of Glens Falls
6 Fire Department ambulance remains committed to
7 serving the community and collaborating with
8 hospitals and partner agencies to ensure both
9 emergency and non-emergency needs are met within the
10 framework of our existing C.O.N. authority.
11 Respectively -- respectfully submitted, City of Glens
12 Falls Fire Department.

13 With that letter being submitted to
14 you, I just want to continue a couple other points
15 like we brought out. E.M.S. in itself as a whole in
16 New York State is on the precipice, especially in the
17 North Country, of many agencies not being able to
18 provide the support in a timely manner. The average
19 response times are going up because we are getting
20 busier in the North Country. We don't have the
21 personnel who are adequately trained and certified,
22 because as we know, it's becoming harder and harder
23 to find a local entity to teach and house our E.M.S.
24 program for paramedics.

25 The only thing that we have going for

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2 us is the E.M.T. program has stabilized and -- and
3 has been a huge success in our local area. And
4 thanks to the County to make -- making sure that's
5 happening. But with adding another entity and
6 another source taken away from our providers, it's
7 going to allow that. As you know and they'll speak
8 for themselves very shortly, they are also doing all
9 they can to support the system as a whole, but they
10 are also burdened by the extra weight of a business
11 needing help.

12 As I said, E.M.S. C.O.N.s are intended
13 to serve the whole community, not just the hospital
14 discharge needs. I think everybody there in this
15 room, including Dr. Williams, Dr. Gurley (phonetic),
16 who is our medical director, also agrees to that
17 endeavor that the hospital is in desperate need of a
18 transport agency that will provide the means.

19 They've tried for many, many years.
20 They've reached out to us to give them something and
21 as much as we wanted to our tax base, we cannot do
22 that without creating a separate entity. Does that
23 say in the future that we might be entertaining it?
24 No. We probably will, because if the mayor says so
25 and if the hospital who runs the show get together

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2 and say we want it, then that's what's going to
3 happen. That's what municipalities do.

4 But at this time, the E.M.S. service,
5 we are obligated to provide the E.M.S. service to
6 those in our community, not to businesses. Who's
7 going to say next year that another agency steps up
8 and starts presenting their transport needs, that
9 they're doing a better job than Fort Ann or Ambulnz
10 or Mohawk who is coming, or Moreau who is here now,
11 or anybody else that has helped the hospital do
12 transports. Are we going to provide them a C.O.N. so
13 they can provide a business plan to them? Well,
14 that's going to be decided. But that's not the
15 intention of Article 30. Community-based E.M.S.
16 Okay.

17 Same thing goes for Hudson Headwaters.
18 Hudson Headwaters also realizes that they are a huge
19 pressure on the community and they pay a fee to some
20 of the agencies that are out there to be there for
21 them, because they realize that they're a extra for
22 the communities.

23 So I'd just like to take these few
24 things, put them in front of you to give you
25 something to think about. And with that, I will

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2 relinquish it to some of the others who want to
3 speak. Thank you.

4 THE HEARING OFFICER: Does someone
5 else want to speak in opposition of the application?

6 MR. OUELLETTE: I only brought one
7 copy, but I'll give it to you guys when I'm done with
8 it if you would like a copy of it. My name is Corey
9 Ouellette, I'm the President and C.E.O. of
10 Warrensburg E.M.S. Thank you for the opportunity to
11 speak here today.

12 On behalf of Warrensburg E.M.S., we
13 are writing to formally oppose the application
14 submitted by Fort A -- Fort Ann E.M.S. to expand
15 their operating territory. The proposed area has
16 been served by established E.M.S. agencies for many
17 years. As such, this request fails to demonstrate
18 the public need required under New York State
19 Department of Health guidelines, which clearly define
20 need as an absence, reduced availability, or
21 inadequate level of care, otherwise -- not otherwise
22 correctively -- or correctable by existing resources.

23 Our agency, along with surrounding
24 E.M. -- surrounding E.M.S. agencies, has consistently
25 maintained reliable coverage for both emergency calls

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2 and inter-facility transport. Patients in this
3 region already benefit from a strong network of
4 agencies that ensure timely response and quality
5 care. The addition of Fort Ann E.M.S. into this
6 territory would not enhance care. Rather, it would
7 create unnecessary duplication of services and
8 competition for an already limited E.M.S. workforce.
9 Allowing for this expansion without demonstrated need
10 would set a troubling precedent, approving territory
11 requests based on overlap rather than necessity
12 risks, destabilizing the regional E.M.S. system,
13 weakens collaborative planning and ultimately
14 threatens the patient care con -- threatens patient
15 care continuity.

16 For these reasons, Warrensburg E.M.S.
17 respectfully urges this Council to deny Fort Ann
18 E.M.S.'s E.M.S. certificate of need expansion request
19 and preserve the integrity of E.M.S. coverage within
20 our region. I thank you for the attention to this
21 matter and your commitment to upholding the highest
22 standards of emergence medical services.

23 In addition to this letter, I will
24 just say that in addition to Fort Ann E.M.S., there's
25 been multiple agencies that have stepped forward to

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2 help Glens Falls Hospital. I think Moreau was
3 probably one of the first, if I -- my memory serves
4 me correctly, which it doesn't always, that was there
5 for Glens Falls Hospital, when Empire Ambulance was
6 sold.

7 Following the sale of Empire
8 Ambulance, Ambulnz came in, Moreau was doing a lot of
9 transports, and there was still a demonstrated need
10 just because as Izzy had said, not one company can
11 really support it. And I think Dr. Williams had also
12 said that as well.

13 So, Warrensburg also has handled
14 hundreds of transports out of Glens Falls Hospital
15 each year. I don't know how many Moreau has done.
16 Fort Ann also has started obviously picking up
17 transports, which has been to a great benefit of the
18 residents, community members and patients at Glens
19 Falls Hospital.

20 I do fear that if we start or if the
21 precedent is set to establish a C.O.N. for one -- for
22 another agency and -- and I know that Warrensburg has
23 seen a -- a drastically reduction in transports. I
24 know -- I know Warrensburg has invested hundreds of
25 thousands of dollars in staffing to support

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2 transports out of Glens Falls Hospital, and I would
3 imagine that Moreau has put on additional transports
4 or any other company that would be doing that to
5 dedicate ambulances to the hospital that we would see
6 other agencies be pushed out. And eventually the --
7 the need to invest in funds and crews to support the
8 hospital would go away.

9 Like Dr. Williams said, or as he said,
10 I'm not sure who but if -- if -- if a plan doesn't
11 work out, like Empire's plan didn't work out and
12 maybe Ambulnz had a plan when they went in there and
13 that didn't work out, then what's the hospital left
14 doing with. And will we be revisiting this issue in
15 another year or two years when the hospital has put
16 most of their eggs in one basket, other agencies has
17 been dispersed and so they're no longer providing
18 service and now patients are suffering again.

19 So I just think that is there a need
20 for a collaborative effort? Is there a need for
21 maybe, you know, if Glens Falls Fire starts doing
22 transports or what -- what have you, is there a need
23 for some sort of system to be in place to ensure that
24 patients out of Glens Falls Hospital can be
25 transported to inter-facilities and back home and to

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2 their nursing homes? Yes, I absolutely do think that
3 there is, but I think it would be important for
4 everybody to come together and try to make that
5 happen, so it's sustainable for everybody,
6 specifically Glens Falls Hospital. That's all that I
7 have and I thank you for the opportunity.

8 THE HEARING OFFICER: Is there anyone
9 else who wishes to speak in opposition of the
10 application?

11 MR. BARNEY: Hi, how's it going? My
12 name's Aaron Barney, I'm the Chief Operations Officer
13 with West Glens Falls Emergency Squad. So, West
14 Glens Falls, I believe submitted a -- a letter to you
15 guys in opposition to the C.O.N. application. I'll
16 just keep it pretty short for the majority of what's
17 in the letter.

18 Just like a lot of my other
19 counterparts, we've also participated in air facility
20 transfers from Glens Falls Hospital. It's obviously
21 a very wide array of a need that's needed for the
22 hospital. I think the C.O.N. application pretty much
23 sets forth that trying to obtain a higher hierarchy
24 of the services that are already being provided
25 there, which I think does not benefit in any form

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2 because just like ourselves, we've done over a
3 hundred and fifty transfers out of the facility as it
4 is already. To say that they're meeting the need, I
5 would contest that because we're also participating
6 in assisting in the need of the facility.

7 Also lastly, I just call into question
8 the professional standards and ethical values of the
9 applicant. As you'll see in our letter that we
10 submitted, they have pens that were produced that
11 state the following, you know, we call, we haul. So
12 I -- I would like to -- you know, our agency objects
13 to the C.O.N. application and just calls into
14 question their professional moral values. Thanks.

15 THE HEARING OFFICER: Can you say your
16 last name again for me.

17 MR. BARNEY: Barney.

18 THE HEARING OFFICER: Okay.

19 MR. BARNEY: Like the dinosaur.

20 THE HEARING OFFICER: Good to know.

21 Is there anyone else who wishes to speak in
22 opposition of the application?

23 MR. IRWIN: Good morning. I was
24 waiting for everybody else to pop up here. Good
25 morning. My name is Shane Irwin, I serve as the

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 Chief of Operations for Queensbury E.M.S. and I'm
3 also the Chair of the Warren County E.M.S. Advisory
4 Board.

5 I want to begin by acknowledging the
6 growing concern regarding Ambulnz transports capacity
7 at Glens Falls Hospital. While I understand the
8 urgency and the desire to expand services, it is
9 critical that we recognize this issue as a part of a
10 broader nationwide crisis, not an isolated challenge
11 unique to our region. Across the country, E.M.S.
12 agencies are grappling with severe staffing
13 shortages, financial constraints, and diminishing
14 billing revenue.

15 This system pressures the effective
16 hospitals and transport crews in every state. And
17 I'd like to point out that lo -- a lot of these
18 ambulance companies that are doing transports
19 nationwide, they don't even have a C.O.N. So
20 technically, you don't need -- you know, if -- if --
21 if the -- if there's a crisis, then they're not going
22 to matter. Okay.

23 In response to these concerns, myself
24 alongside the Chief of Glens Falls Fire Department
25 and Warrensburg E.M.S., we met with the hospital

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 representatives at the E.M.S. board level to explore,
3 collaborate -- collaborative solutions. We presented
4 viable options and engaged in a constructive dialogue
5 with E.C.C. officials.

6 However, despite the positive tone at
7 that the meeting, our proposals were ultimately
8 dismissed without further discussions or alternative
9 suggestions by the powers that be. So we have
10 brought other options to the hospital and the higher
11 ups, it says, yeah, okay. No.

12 This brings me to the Fort Ann
13 application currently under review. I must
14 respectfully, but firmly state that this application
15 should be considered invalid. It contains inaccurate
16 -- inaccurate geographic information, including
17 references to non-existent streets, such as South
18 Avenue and Mohegan Street. Approving a document with
19 false data undermines the integrity of our process
20 and sets a dangerous precedent.

21 Furthermore, the proposed expansion
22 would have a direct and negative impact on existing
23 providers, particularly Glens Falls Fire Department.
24 The inclusion of these fictitious streets could
25 enable Fort Ann to secure additional transport

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 contracts with health -- healthcare facilities
3 locating those areas, thereby disrupting established
4 services, boundaries and provider relationship.

5 Some of these areas are Adirondack
6 Nephrology, Adirondack Health Institute Surgical
7 Specialists, Ortho New York and a couple of private
8 doctor offices located within these territory lines.
9 In regards to mutual aid plan, you don't need a
10 C.O.N. for that. We've called them to help us with
11 mutual aid calls, standbys. So in their paperwork,
12 they said, you know, once they get the C.O.N., they'd
13 be more active with -- with mutual aid. They are.
14 We have personally in our thing, it says that if
15 we're busy, we put it on standby at the county line.
16 So I don't understand why we need a C.O.N. just to do
17 that.

18 Lastly, Glens Falls Hospital has yet
19 to give Glens Falls Fire an opportunity to present
20 other capabilities or discuss with them other
21 optional transport needs. Until such a meeting
22 occurs and all stakeholders are given a fair chance
23 to contribute, I strongly recommend that any further
24 action of this matter be paused. If they're willing
25 to pay Fort Ann for their services, they sh -- they

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 too should give Glens Falls Fire an opportunity to
3 receive these payments also.

4 Just want to say thank you for your
5 attention and your continued commitment to
6 responsible E.M.S. governance. I'd also like to
7 point out too, that I know several years ago we -- I
8 went to Glens Falls Hospital. They were -- they were
9 hurting. I said, hey, listen, I'll put on extra
10 cruise. Please call us and we'll do transports. We
11 lost two hundred thousand dollars in staffing because
12 they didn't call us and stuff when we said we'd offer
13 it. We put people on. That's a lot of money to lose
14 in an agency.

15 So I think Glens Falls Hospital needs
16 to, you know, get in gear and start talking to other
17 agencies like Glens Fall Fire, say, hey, what can --
18 you know, how can we help you guys help us. Like I
19 said, if they're going to offer another agency to
20 come in five hundred thousand dollars to do
21 transports, why can't they pay Glens Fall -- Glens
22 Falls fire the same, you know? So that's my point,
23 and I think I lost your attendance sheet. No, I
24 stole this. Sorry. There you go. Thank you.

25 THE HEARING OFFICER: Is there anyone

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 else who wishes to speak in opposition of the
3 application?

4 MR. VANGUILDER: I guess my question
5 will be -- my name is Steve Vanguilder.

6 COURT REPORTER: I'm sorry. Can you
7 wait till you get to the mic, that way I can get it
8 for the record? Thank you.

9 MR. VANGUILDER: My name is Steve
10 VanGuilder. I'm Executive Director of Moreau
11 Emergency Squad. I just want to confirm that you've
12 received our letter. I -- I came in late, so I don't
13 know if everybody got it or not.

14 MR. OLCOTT: The REMSCO did receive
15 it, yes.

16 MR. VANGUILDER: Okay. Has it been
17 read?

18 MR. OLCOTT: It has been given to you?

19 THE HEARING OFFICER: I have read it.

20 MR. VANGUILDER: Okay. Has everybody
21 here read it or they -- have they had a chance to
22 read it?

23 MR. OLCOTT: I don't believe so.

24 THE HEARING OFFICER: It is -- it's a
25 -- it is actually available on the --

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY

2 MS. LADD: On the department website.

3 MR. VANGUILDER: Okay.

4 MS. LADD: You can read it there.

5 MR. VANGUILDER: Again, everything
6 that we've had to say, we put in the letter. So, I
7 mean, if you have any questions. The question is to
8 us is does it fall under Article 30. Again, just as
9 my colleague who said, you know, we -- we started,
10 you know, right after COVID and during COVID
11 providing ambulance service to Glens Falls Hospital,
12 more so that we put staff on.

13 My question is, you know, not only as
14 executive director, but I live in the C.O.N.
15 territory and Glens Falls Fire covers my district.
16 You know, my -- my house. If I was to call nine one
17 one, I -- I don't need an ambulance coming from Fort
18 Ann, definitely. Even if it's system status quo back
19 -- that's my thought on Glens Falls Fire. We're all
20 burdened. We understand. So, whatever we can do,
21 but we oppose the C.O.N. Thanks.

22 THE HEARING OFFICER: Is there anyone
23 else who wishes to speak in opposition of the
24 application? Is there anyone else who wishes to
25 speak in opposition of the application? And is there

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 anyone else who wishes to speak in opposition of the
3 application? Are there any REMSCO members wishing to
4 speak or ask questions regarding the application or
5 the testimony? Do you all have a pulse?

6 MR. MCPHERSON: The applicant or
7 anyone that spoke?

8 THE HEARING OFFICER: Anyone who
9 spoke.

10 MR. OLCOTT: So, I do have a question.
11 My name's Dakota Olcott. I'm the Vice Chair of the
12 Mountain Lakes REMSCO. My question would be for you,
13 Dr. Williams in regards to Glens Falls Hospital. Do
14 they have like a transfer center that determines who
15 does the transports or is it kind of like a free
16 will, whoever's available?

17 MR. WILLIAMS: No. The desk clerks
18 have lists of everybody who is available for
19 transports or is offered to transport and they
20 basically just go down the list and call whoever
21 responds first.

22 MR. OLCOTT: Okay.

23 MR. WILLIAMS: One of the things we
24 have run into is that, some agencies will transport,
25 but they will transport the patients who reside in

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 their district and not transport patients who don't
3 reside in their district.

4 So, for instance, if someone from the
5 North Country gets hurt and they don't reside within
6 the territory of a given agency, they were less
7 likely to transport them. But if the patient does
8 live in with their transport agency district, they
9 will transport them. So, one of the obstacles we
10 have to overcome is sometimes that's an issue.

11 MR. OLCOTT: Okay. Is there anyone
12 from Ambulnz here? Okay. My only other question was
13 for them.

14 THE HEARING OFFICER: Anyone else from
15 the REMSCO?

16 MR. OUELLETTE: I would -- I
17 apologize. In reference to the list, I didn't know
18 how the list was --

19 THE HEARING OFFICER: I'm sorry -- I'm
20 sorry you're a little farther away from the mic than
21 Mr. Williams.

22 MR. OUELLETTE: In -- in reference to
23 the list that Dr. Williams referenced, I didn't know
24 how the list of how agencies were contacted was -- is
25 comprised.

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2 MR. WILLIAMS: Me too. I don't know.

3 MR. IRWIN: Can I add to that? Can
4 you hear me over there? Is it okay? You can hear
5 me?

6 COURT REPORTER: Yes.

7 MR. IRWIN: Okay, good. So we were
8 told from the hospital that if a call patient care
9 have -- originated in your district or end your
10 district, they will call that agency. They have not
11 called like us, where numerous times I hear with the
12 radio of Washington County agencies bringing somebody
13 back to a nursing home that's in our district, which
14 we told them we will do.

15 So this whole list, like I say, it
16 goes back -- it falls back into Glens Falls Hospital.
17 They got to do something because we were told by the
18 officials that, again, if the call originates in your
19 district or it happened, or they go back to your
20 district, they'll call that agency to do the
21 transports and I have not received those type of
22 calls. Let alone I hear with the last -- you know,
23 that they go back to their district. Again, the
24 Washington County agency is bringing somebody back
25 and when they're available, so.

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2 MR. OLCOTT: Tom, I do have a question
3 for you.

4 MR. NOBLE: Yes.

5 MR. OLCOTT: So in regards to
6 transports, are you guys capable with this plan of
7 providing B.L.S, A.L.S. and C.T. transport?

8 MR. NOBLE: Yes.

9 MR. OLCOTT: Okay.

10 MR. NOBLE: We -- we have been already
11 doing it for two years consistently. Yeah. I was
12 going to say, I -- I -- I don't have the number in
13 front of me. I do apologize --

14 MR. TIMS: It was submitted. All the
15 documentation was submitted for.

16 MR. NOBLE: I think we've done almost
17 thirteen hundred inter-facilities this year. We did
18 about eighteen hundred last year. I don't remember
19 how many for 2023.

20 COURT REPORTER: Sorry, can you tell
21 me your name?

22 MR. NOBLE: Thomas Noble, Chief of
23 Fort Ann Rescue Squad.

24 COURT REPORTER: Noble?

25 MR. NOBLE: Noble, N-O-B-L-E.

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2 COURT REPORTER: Thank you.

3 MR. WILLIAMS: I guess speakers of
4 REMSCO -- I'll be -- I've got a booming voice.

5 MR. TIMS: Excuse me, one second.

6 THE HEARING OFFICER: Thank you.

7 MR. TIMS: All right. My name is
8 Johnsons, everybody knows me as Jack. I just have a
9 couple clarification questions as opposed in -- in
10 regard to, excuse me, the -- the narrative section of
11 the application.

12 One was mentioned about the roads were
13 not mentioned written correctly, that's okay, could
14 be just a typo thing that's up to you guys. Under
15 the section -- one second. Excuse me. In the
16 narrative under the section one impact upon existing
17 ambulance and or emergency medical services proposed
18 area, and I just have this up here that -- my printer
19 wasn't working this morning. Under mutual aid, it
20 says we will participate in the mutual aid system in
21 Fort Ann County, but then as you scroll down -- and
22 this may be my ignorance, that's why I'm just asking
23 clarification questions. I'm a little stupid
24 sometimes.

25 Under the section two, E.M.S. system

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 in the area, the second part is Fort Ann Rescue Squad
3 parti -- participates in the Fort Ann rescue squad,
4 mutual aid plan -- that's in the bolded part. This
5 is Fort Ann Rescue Squad will participate in nine one
6 one response services and will not provide or receive
7 mutual aid support services.

8 So why is there a difference here?
9 Again it could just be my ignorance for the sections,
10 but that's something I need to help, I guess, make
11 the decision process here.

12 MR. NOBLE: So, our attorney obviously
13 wrote this. I'm not smart enough to have written it.

14 MR. TIMS: Neither am I. So, I'm
15 asking questions.

16 MR. NOBLE: So I asked him the same
17 question. So we obviously participate in the Warren
18 County mutual aid program as Chief Irwin had stated,
19 as we're required to. So he said we were required to
20 put that in there per, you know, as part of our
21 application. And I believe he put the second portion
22 because with what we're doing in Glens Falls, the
23 intent is not to take nine one one calls within that
24 -- that expansion of territory. We don't -- we have
25 no desire to take nine one one calls in Glens Falls

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2 District.

3 MR. TIMS: Okay.

4 MR. NOBLE: So from my understanding,
5 that's why it was -- was written in there. I'm not a
6 lawyer, so --

7 MR. TIMS: Right.

8 MR. NOBLE: -- I'm not --

9 MR. TIMS: If that would need some
10 clarification or rewriting, I'm not sure how that
11 process will go. So again, excuse my ignorance, and
12 then what -- I'm not going to search for any here,
13 but I did read into it. It did mention about --
14 obviously in the application, you list the ambulances
15 that you have, the personnel, all that little fun
16 stuff and -- which is perfectly fine. But then it
17 did mention somewhere in here, again, I could dig for
18 it in a few minutes. It did mention that you'll --
19 you have four ambulances, I believe.

20 MR. NOBLE: We have five now.

21 MR. TIMS: Five. And it said -- well,
22 I believe it said in here, four ambulances will be
23 available for transports. So if it's one of those
24 days where Dr. Williams got -- has to get everybody
25 out or the doctors have to get everybody out of that

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 -- that E.R., and you're putting four ambulances
3 there, what's happening to the Town of Fort Ann?
4 What's happening to nine one one responses?

5 MR. MCPHERSON: So -- so our -- our
6 default staffing prior to -- to transport -- the
7 transport business was one ambulance twenty-four
8 hours a day. That's our contract with the Town of
9 Fort Ann. One paramedic level ambulance twenty-four
10 hours a day. We're willing to dedicate the four
11 additional ambulances that the transport business has
12 supplemented us with to do those transports, but we
13 never stripped the -- the district of that -- that
14 duty ring.

15 That -- that's always covered. That
16 is our primary objective. That's -- that's the
17 reason for our existence is the Town of Fort Ann. So
18 we give them exactly the same service that we're
19 contracted with and that the -- that the Town -- Town
20 needs. It's the in between times when we have the
21 four crews on that the town benefits from all that
22 downtime, we have four extra crews and we can send
23 several. But we never strip the primary da -- duty
24 ring out of the district.

25 MR. TIMS: Okay. Are -- and again,

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 could be my mistake. Do you have all four -- excuse
3 me, all five ambulances listed in this application,
4 or do you only have the four?

5 MR. NOBLE: We only put four because
6 our town contract states we have to -- we have to
7 keep one ambulance in our district at all times.

8 MR. TIMS: Okay. Because that to me
9 is a little misleading. Because the way I'm looking
10 at it from my point of view as a REMSCO board member
11 here is that you have four ambulances there with all
12 these personnel and you have four dedicated to the
13 transports. That's what's making me a little --
14 trying to get de-muddy to water, if that's the truth
15 -- if that's a true word, if you know where I'm going
16 with it.

17 MR. NOBLE: I -- I -- I -- I
18 understand what you're saying.

19 MR. TIMS: I could be big, very big
20 with, you know, formality, make sure everything is
21 legitimate.

22 MR. MCPHERSON: What level of care are
23 those rigs?

24 MR. NOBLE: Depends on the day. We
25 used to have -- well used to. I staff one of those

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 ambulances Monday through Friday. And then we have
3 another paramedic in the building that's available if
4 needed. Our other person that's usually staffing one
5 of the other ambulances hopefully is delivering a
6 baby in the next sixteen hours, so she's out. So
7 we're going to see a little bit of a delay over the
8 next two weeks, but then we're back to three
9 paramedics during the daytime.

10 MR. TIMS: And you'll be with her, I
11 hope.

12 MR. NOBLE: I'm -- I'm hoping so.
13 Still got the bracelet. So, I hope that's --

14 MR. TIMS: For your safety I think you
15 should.

16 MR. NOBLE: Well, and -- and I
17 understand where you're -- where -- where you're
18 going with this. I did ask our attorney a lot of
19 questions in that's pretty much told me that it had
20 to be in there that way and he wrote it.

21 MR. TIMS: All right. To me, it's a
22 little misleading. Okay. Thank you.

23 THE HEARING OFFICER: Mark.

24 MR. SPIEZIO: Mark -- Mark Spiezio,
25 Council Member and Deputy E.M.S. coordinator in

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 Washington County --

3 COURT REPORTER: Can you come up
4 closer?

5 MR. TIMS: You're not as booming as
6 me.

7 COURT REPORTER: It was like I was
8 looking around to see --

9 MR. SPIEZIO: You guys know me better
10 now. I'm -- I'm -- I can be booming. Mark Spiezio
11 deputy E.M.S. coordinator in Washington County and
12 REMSCO member. These questions may be directed
13 towards the Hearing Officer. These are legal
14 questions, but I think for clarification we would
15 like to -- I would -- I know I would like to see
16 them.

17 In Article 30 and in 0606, it mentions
18 -- and the reason I ask is I've been through two or
19 three hearings on both sides regarding C.O.N. It
20 refers to existing resources and the reallocation of
21 existing resources to meet the public need. For
22 clarification purposes, does that only include
23 current C.O.N. holders or does that include any other
24 resource that is providing service in that territory?

25 And it -- it probably goes to the

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 second part of the question. And again, this being
3 all more of a inner facility situation rather than a
4 nine one one situation, but the terms routine and
5 predictable versus mutual aid as defined in, you
6 know, state regulation mutual aid is not routine and
7 predictable. Once it becomes routine and
8 predictable, it's no longer mutual aid.

9 And the impact of the infamous 20 --
10 February, 2010 letter from New York State Medicaid
11 that specifically stated that operating outside of an
12 operating territory puts -- with -- that is routine
13 and predictable, puts agencies at risk for reduced
14 Medicaid funding or not getting Medicaid funding for
15 certain things.

16 So if there's any way we could clarify
17 the status of those questions that I think would be
18 beneficial I know for -- for me, in the final
19 decision-making process and perhaps for other Council
20 members.

21 THE HEARING OFFICER: I was afraid you
22 were going to do that.

23 MR. NOBLE: We're going to do it
24 anyway.

25 THE HEARING OFFICER: I know. So,

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 this as a Hearing Officer, it places me in an
3 interesting and somewhat conflicting position. Your
4 question about what Article 30 says. So Article 30,
5 subsection 3010 is really what we are dealing with
6 here.

7 And -- so I -- I -- I'm conflicted.
8 And the reason for that is that Article 30 in its
9 current form was written in 1992. And E.M.S. and all
10 -- all of the systems were totally different in 1992.
11 So, the most recent version with some minor changes,
12 that's how old it is. And 3010 has not changed. And
13 3010 is -- is quite frankly, in our modern E.M.S. and
14 I don't use that mo -- modern term saying that we've
15 come so far, you know, but in our modern E.M.S.
16 system, 3010 is really difficult to comply with.

17 So Dr. Williams talked about bringing
18 patients back to their home territories. So 3010
19 quite specifically says that volunteer E.M.S.
20 organizations may bring their ambit -- their -- their
21 residents to and from the hospital back to their
22 territory or may bring a resident of their community
23 to a referral center or trauma center or a resource
24 center. Whatever term they used in 1992.

25 So to be perfectly honest with every

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 single one of you, your agencies are not volunteer
3 E.M.S. agencies, none of them. You have a couple of
4 volunteers interspersed with your career people. So,
5 the next section in 3010 speaks to commercial
6 ambulance services, of which you -- most of you are
7 not that. 3010 doesn't recognize municipalities
8 pretty much at all because the municipality section
9 came later.

10 But what it says about commercial
11 services is that they must hold operating territory
12 where at least on one end of their operating
13 certificate. So for example, at -- you know, Ambulnz
14 can pick up a patient at Glens Falls Hospital and may
15 transfer them to Strong Memorial Hospital in
16 Rochester. They don't hold territory in Rochester.

17 With all due respect to all of you,
18 with the exception, honestly, of the three ambulance
19 services that hold operating territory in the City of
20 Glens Falls, none of you are doing this in compliance
21 with Article 30. Not a one of you. And I say this
22 because I -- I ride on an ambulance not far from here
23 and listen to the ambulance calls coming in and out
24 of Glens Falls Hospital and taking patients to
25 facilities outside of their operating territory.

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2 It's in violation of Article 30 and
3 you know, again, that's problematic because that's
4 what Article 30 says. Is that right? Is that
5 morally fair? No. And the reason for that is that
6 Glens Falls Hospital and every single hospital
7 everywhere can't take care of the patients they have.
8 They need desperately to get patients out.

9 One of the things that struck me when
10 Bob was speaking was that it is not -- he stated it
11 is not Fort Ann's intention to do this in the absence
12 of everybody else. I will say that it is interesting
13 that Fort Ann has applied for operating certificate
14 that includes Glens Falls Hospital because that would
15 make their transfers out of there legal, which makes
16 competition really technically difficult.

17 That said, you know and this is a
18 question to you so that for the benefit of the REMSCO
19 members, you know, in your -- I know in your opinion,
20 Fort Ann has the excess capacity to answer this need.
21 But in your comments, you said not by yourself.

22 MR. NOBLE: Absolutely. We -- I'm
23 sorry. So we -- we -- I mean, we can only do so much
24 per day. We receive somewhere between ten and twenty
25 phone calls from the hospital a day. And we can only

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 take so many patients per day. We turn down probably
3 fifty percent of what we get called for, not because
4 we're not available because the ambulance isn't
5 staffed, it's because they're -- they're already out
6 there.

7 So that's why I stated before, as Bob
8 did that, we can't do it alone. There's -- there's
9 still a need and that's why our stance still stays
10 that if -- if somebody else wanted to file for a
11 C.O.N. we would support it because we want to do this
12 legally.

13 We didn't know until six months ago we
14 were required to have a C.O.N., until I read 3010 and
15 was like, okay, there's -- we have a problem because
16 we are -- we are routine. We -- we're no longer
17 mutually late. We are routine. So therefore, if we
18 were to stop today, because New York State could come
19 in at any minute and say stop. And it would impact
20 the Glens Falls Hospital in such a negative way.
21 West Glens Falls is -- they're the busiest agency in,
22 in Warren County. They can't do the -- the -- the
23 amount that we do.

24 MR. MCPHERSON: Not overnight.

25 MR. NOBLE: Correct. So, we -- we

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 understand that there's a need for -- for multiple
3 C.O.N.s. We just want to do this legally so that the
4 -- so that the state can't come in and say stop and
5 per -- like our -- our town board member said, could
6 devastate our own town.

7 MR. WILLIAMS: And Dr. -- Dr. Gurley
8 and I are on the same page. We -- I'm here in
9 support of Fort Ann and their application. Dr.
10 Gurley and I would be here for any agency that wishes
11 to apply for C.O.N. I don't care who does it. We
12 need the service. Where you can't function and our
13 community can't survive without these agencies
14 helping us move patients, not just out of the E.R.
15 but out of the hospital, you know, from urgent cares.
16 You know, everything that -- that -- that, you know,
17 patients rely on, we need our agency's help with.

18 So if any agency, you know, wants to
19 do this, I support it. And, you know, there is a
20 need for not just one agency, not just two agencies;
21 we need a lot of agencies to help.

22 THE HEARING OFFICER: I mean, I would
23 -- one of the -- the things that concerns me in a
24 personal way is that -- and it's, you know, these
25 will be in the minutes, so the state will see this.

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 It's not -- your worry should not be that the state
3 is going to come in and -- and issue you an order to
4 cease and desist. Article 30 doesn't really allow
5 for that.

6 What -- what you do need to be
7 concerned about and every single one of you doing
8 these transport need to be concerned about is that in
9 cons -- concept and in reality Medicare, particularly
10 C.M.S., can come in here and stop paying you and then
11 hold you responsible for every single dollar that you
12 have recouped doing these calls without actual
13 operating authority by your governing body, which is
14 the state of New York.

15 In my ten years prior to my
16 retirement, we lost an ambulance service who was
17 fined a small portion actually of what they owed back
18 to C.M.S., but it buried them, and they no longer
19 exist. And -- and I honestly cannot imagine our --
20 our -- the E.M.S. system locally or in the state
21 cannot afford to lose a single one of you. And most
22 importantly, or the patients need you and the
23 hospitals need you. And I would say Dr. Williams,
24 that -- and you know, to a great extent, shame on
25 Glens Falls Hospital for not offering options for the

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 ambulance services who are showing up at your
3 doorstep every single day, taking patients out of
4 there.

5 And that's not unique to Glens Falls
6 Hospital. I ride in the Saratoga catchment. We have
7 the same issues there, you know and you -- we call it
8 wall time. Glens Falls Hospital is pretty good about
9 wall time. I have stood in Saratoga for an hour and
10 a half waiting to offload a patient. It is very
11 unpleasant for patients, and me because I'm old.

12 But I -- I -- Article 30 is
13 problematic for you, REMSCO people. And
14 unfortunately, it's -- it's problematic for all of
15 the agencies in -- in this conversation. I hate you
16 Mark Spiezio. That is on the record.

17 MR. SPIEZIO: Redact, redact.

18 THE HEARING OFFICER: I'll get him
19 later.

20 MR. OLCOTT: Dr. Williams, are you
21 aware of any contracts that Glens Falls Hospital has
22 with any commercial service? That's why I was hoping
23 to ask Ambulnz, but --

24 MR. WILLIAMS: Well, I know they have
25 a contract with Ambulnz. I can't speak to the

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 details of it.

3 MR. OLCOTT: Got you.

4 MR. WILLIAMS: Apart from that, you
5 know, we need to rely on other agencies because they
6 can't fulfill all our needs.

7 MR. OLCOTT: So I guess my question is
8 the money that's being paid to them, why can't we
9 divvy that up to all these agencies that transport?

10 MR. WILLIAMS: That got brought up in
11 our meetings. I'll bring up with the REMSCO. It's
12 above my pay grade.

13 MR. MODERT: Thank you. Can I add to
14 this?

15 MR. WILLIAMS: Yeah.

16 MR. MODERT: That way we don't get too
17 blurred out of this.

18 MR. WILLIAMS: Better come up to the
19 mic before you get yelled at.

20 MR. MODERT: I -- I'm trying to -- I'm
21 also trying to keep a lower tone. And thank you for
22 speaking to Article 30. You hit on all the points
23 some of us didn't hit on including myself.

24 And nothing against the Glens Falls
25 hospital. They're stretched. E.M.S. is stretched.

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 Again Article 30, we're asking for a C.O.N. so they
3 can start a business transport agency with the
4 hospital. Okay. The hospital is a non-for-profit
5 entity. Right? C.O.N.s are meant for public
6 service. This is not part of that.

7 I'm just going to go down a -- a
8 couple things that I -- I wrote out to compare the
9 two. And this is why we need to keep this in front
10 of us before it opens up a can of worms, especially
11 in the North Country. And you've already precluded
12 to it, you have one ambulance, but yet you have three
13 and four calls in a day. You're opening yourself up
14 to your area for a lapse in service. And Nick, I'm
15 not -- I'm not hitting you --

16 UNIDENTIFIED MALE SPEAKER: I'm just
17 trying --

18 MR. MODERT: I'm just saying it's just
19 there. Which means Queensbury has to come --

20 UNIDENTIFIED MALE SPEAKER: -- White
21 Hall has to come and --

22 MR. MODERT: -- that's what I'm trying
23 to negate here. Right. This is a business decision.
24 The hospital is required to move these people. They
25 need to set up a business plan where there is a

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 hundred percent paid entities that are sitting there
3 providing that service to them, not relying on the
4 E.M.S. services.

5 As stated in these agencies that came
6 up in front of you, we're strapped. We're going
7 above and beyond to meet the need of this area. Not
8 because we want to in most part, but because that's
9 in our heart and soul. We want to help, everything
10 that we can do. Sometimes stepping over that line
11 that is very blurry or even bold because we are in
12 healthcare. We know we're strapped, but we got to do
13 it.

14 Again, purpose, hospital transport.
15 Schedule, transports a patient. Emergency squad
16 E.M.S. Nine one one response for sick or injured
17 patients. Nature of service, for the hospital.
18 Planned routine, revenue generating business
19 activity. For E.M.S. reactive, lifesaving and
20 essential public service billing. Funding source
21 paid by patient, insurance, Medicaid, Medicare
22 billing for the hospital. For E.M.S., supported
23 primarily by local taxes and supplemental billing
24 through the services. The business model for a
25 hospital requires a separate business plan for

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 vehicle staffing, billing, compliance.

3 E.M.S. exists to serve the community
4 under a tax base. They too are non-profits.
5 Community role for the hospitals, extends hospital
6 service for convenience and continuity of care.
7 E.M.S. agencies provides guaranteed twenty-four seven
8 access to emergency medical care. The hospital
9 transports the impact that if it is misused hospitals
10 rely on E.M.S. for routine transports. It shifts
11 cost onto taxpayers inevitably, no matter how hard
12 you plan.

13 The emergency squad, if E.M.S.
14 resources are diverted nine one one declines,
15 increase in response times, and endangering the
16 public safety, no matter how hard you try or plan. I
17 -- I hate your frown, just so you know, your face
18 speaks a lot.

19 MR. MCPHERSON: Thank you sir.

20 MR. MODERT: Thanks for listening and
21 understanding why you're sitting here. Appropriate
22 use, the hospital should operate its own transport
23 service if de -- desired. E.M.S. squad, E.M.S.
24 should remain focus -- focused on emergency calls and
25 true medical need. Hospitals providing return home

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 or discharge transports are engaging in a business
3 activity that should stand on its own operational
4 plan. Taxpayer funded emergency service should not
5 be repurposed to serve a hospital transport system as
6 this undermine -- undermines both fairness and
7 community emergency readiness.

8 Again, Article 30 does not
9 definitively outline this for a business plan. It's
10 only for emergency services, nine one one, and the
11 hospital is not part of that. They're a receiving
12 entity. So I'll leave it at that.

13 THE HEARING OFFICER: Just for
14 clarification.

15 MR. NOBLE: Yeah.

16 THE HEARING OFFICER: In the law that
17 there is no delineation in the definition of
18 ambulance services, and I'm just trying to get it to
19 come up. An ambulance service means an individual
20 partnership, association, corporation, municipality,
21 or any legal or public entity or subdivision thereof
22 engaged in providing emergency medical care and
23 transportation of secure injured persons by motor
24 vehicle, aircraft, other forms of transportation to,
25 from, or between general hospitals and other

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 healthcare facilities.

3 So it does not specifically delineate
4 ambulance services that do trans -- primary
5 transports ambulance services that do just nine one
6 one. The law doesn't specify that. Sorry, Tom, I
7 was just --

8 MR. NOBLE: I -- I was just asking if
9 I could try to rebut something quickly to make sure
10 it's on the record. So, we have actually been doing
11 inter-facilities probably for about four years. The
12 first year, very intermittent, you know, we didn't
13 have a whole lot of resources. Second year, same
14 thing, not a whole lot of resources, Empire was
15 around and -- you know, and they were on their way
16 out and Ambulnz was on their way in.

17 In roughly four years, we have done,
18 I'd probably have to say, over twenty-five hundred
19 nine one one calls out of our district. And we've
20 dropped eight calls. Eight out of twenty-five
21 hundred in our district. We've dropped zero calls
22 this year.

23 And I just want this on the record
24 because unfortunately I've seen a few people come up
25 and say that it's going to decrease response times.

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 It's going to make it so that we can't handle our
3 calls. Our average response time this year is one
4 point seven minutes from time of dispatch to when we
5 get an ambulance off the floor responding. And on
6 top of that, we've been able to help, I want to say
7 roughly about five hundred patients outside of our
8 primary territory for mutual aid because we had the
9 additional staffing.

10 We are surrounded by a few agencies
11 that unfortunately do not have the available
12 resources to staff every single day. And because of
13 that, patients are getting an ambulance. So this
14 whole thing has been beneficial not just to our
15 organization, but to our county as a whole. We just
16 want to do this legally and we want people to
17 understand there's no detriment to our nine one one
18 service. Our nine one one service, in my opinion, is
19 phenomenal. And it's -- it's made phenomenal by the
20 people below me that continue to run it every day.
21 Thank you.

22 THE HEARING OFFICER: Is anyone from
23 the REMSCO that we missed wish to make comments, ask
24 questions? Would the applicant like to make some
25 closing remarks?

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2 MR. MCPHERSON: Yeah. Yes ma'am. All
3 right. I wrote down a lot of notes based on all the
4 -- the perspectives of folks, probably not going to
5 hit all of them. The biggest one we want to stress
6 is that we have no intention or -- or desire to be
7 the only game in town. We just want to continue the
8 business as usual, as -- as a phrase in participation
9 with everybody else.

10 Exactly to Ms. Burns' point of
11 nobody's doing it legally except for Glens Falls,
12 Ambulnz and Mohawk. We want to change that and we
13 want to do it legally. We want to be part of the
14 system and continue to help Glens Falls Hospital.
15 The concerns about con -- proving need the -- the
16 numbers we've had two years of statistics that show
17 that. Twenty -- twenty-one hundred patients between
18 us, Warrensburg and Moreau were transported. Twenty-
19 one hundred in a year is not mutual aid. That is
20 predictable enough for us to buy ambulances, hire
21 staff, put them on the schedule and then put them to
22 work every day because the call volume is so
23 predictable.

24 I don't know how much more need you
25 need. That's -- that's it. We've been judicious in

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 our decision to flex the size of the company with
3 perspective of our call volume by currently buying
4 used ambulances because they're cheaper, more cost
5 effective because we know the rug can be pulled out
6 at any point.

7 Up until today's decision, we haven't
8 -- we don't know what the future is. We're looking
9 for a C.O.N. to affirm the fact that our business
10 model is working, is beneficial to the community, is
11 beneficial to Fort Ann, Warren County, the hospital
12 because we're moving patients from the hospital to
13 where they need to go to -- to increase throughput.
14 The patient is the ultimate person.

15 The -- the -- the chief from Glens
16 Falls, he -- he made a myriad of points. I couldn't
17 write them down quite fast enough. But there seemed
18 to be a lot of liberty taken with the interpretation
19 of Article 30. Lee Burns did a nice job bringing
20 that into -- it's pretty clear. We're here to read
21 the -- the rule of law and not interpret it. All we
22 know is in order to continue to do transports, we
23 need some C.O.N. Again, Warrensburg, if you want to
24 get a C.O.N. you have our vote. West Glens falls,
25 unless the hospital's not in here. Right?

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2 MR. NOBLE: No.

3 MR. MCPHERSON: No. If you want to,
4 go for it, you got our vote. We want the help. The
5 concerns about the money from the hospital via
6 contract, that's -- that's not what this is about.
7 We don't have a contract. We don't -- we won't be
8 getting the contract to my knowledge. Ambulnz
9 hasn't. We just want to do the current business as
10 is. And so far, two years of data plus two years
11 plus, there hasn't been a detriment to Glens Falls
12 doing nine one one calls or our residents getting
13 ambulances or we haven't been skulking into
14 Queensbury to steal calls. It's not what we're here
15 for. We want to move patients from point A to point
16 B and that helps supplement our operation.

17 I think that capped a lot of the --
18 the concerns that were mentioned, but that's our
19 closing speech.

20 THE HEARING OFFICER: Anyone else wish
21 to make closing remarks?

22 MR. SEXTON: I just have one question.
23 So, let's say Fort Ann engages it to do a great job.
24 However, Tom's not captain, not chief anymore
25 somebody else comes in and says, no we don't want to

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 do this anymore. Squashes it. At the Fort Ann
3 E.M.S. level. What does that mean? What's their --
4 what is their legal obligation now to -- first all do
5 they have any? So they have no --

6 THE HEARING OFFICER: They do not.

7 MR. SEXTON: -- obligation. Okay. So
8 it essentially it would just go back to the mess
9 that's occurring now.

10 THE HEARING OFFICER: Yes.

11 MR. MCPHERSON: So, I apologize. I
12 did want to touch on Mr. Sexton's comments from
13 earlier. I did write some stuff down. As far as
14 worrying about the current operation and what happens
15 if the rug does get pulled out, as I mentioned, we've
16 been very judas -- judicious with our budgeting and
17 our expenses as far as we haven't incurred any
18 additional debt in order to acquire the assets or the
19 personnel to do this service.

20 So in the event that we don't get the
21 C.O.N., and we have to cease operation with the Glens
22 Falls Hospital, we can shrink back down to the size
23 that we originally had before without any huge
24 problem. Yeah, we'd have to lay people off, but we
25 can't put thirty people to work on two hundred calls

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 -- two hundred calls in a year.

3 MR. SEXTON: Okay. So -- so I mean,
4 outside of this room there should be more to this
5 because you guys are going to -- there's going to be
6 a much more in-depth conversation at the Town level.
7 And that's more what my point to you guys was, Rob,
8 is that you guys didn't give us that. Right? If we
9 look back at all those certified letters, they didn't
10 come to the Town of Fort Ann, didn't come to the
11 Village of Fort Ann. Why was that?

12 MR. MCPHERSON: It was not
13 intentional, and I apologize for that oversight.
14 We'll -- in the car on the way home, we'll talk about
15 it. But -- but that was --

16 MR. SEXTON: But you know that sucks,
17 right?

18 MR. MCPHERSON: Yeah. So, that was
19 oversight and we apologize for that. That was -- the
20 concern -- what I did want bring up to you was how
21 much additional funding from the taxpayers from Glens
22 Falls' point did we ask for this year. How much
23 additional money?

24 MR. SEXTON: I don't know. I haven't
25 seen the budget yet.

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2 MR. MCPHERSON: We -- we --

3 MR. SEXTON: It's -- it's not
4 currently due.

5 MR. MCPHERSON: In fact, we asked for
6 less this year than we did last year.

7 MR. SEXTON: That's -- that's great.
8 Which means that you guys are operating exactly what
9 you should to be --

10 MR. MCPHERSON: Correct. So the
11 taxpayer -- has the taxpayers incurred any additional
12 burden or financial liability for our current
13 operation?

14 MR. SEXTON: Not to date as of this
15 point.

16 MR. MCPHERSON: And they're still
17 getting the service they paid for by contract?

18 MR. SEXTON: Say it one more time.

19 MR. MCPHERSON: And they're still
20 getting the contract -- the -- the service that
21 they're paying for via contract?

22 MR. SEXTON: They are, I think there's
23 things we need to hash out at the town level that's
24 not appropriate for this hearing --

25 MR. MCPHERSON: But they're getting

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 the one paramedic level ambulance twenty-four hours a
3 day and we've covered every first call --

4 MR. SEXTON: As far as I'm aware yes.
5 I don't oversee your staffing.

6 MR. MCPHERSON: Yeah.

7 MR. SEXTON: You guys do.

8 MR. MCPHERSON: But yeah, that's -- I
9 can show you this. But --

10 MR. SEXTON: That's fine. You can
11 show me all you want.

12 MR. MCPHERSON: Those -- those are the
13 ultimate points.

14 MR. SEXTON: I'm here to ask
15 questions, so -- that's why the public -- public
16 hearings exist. Right?

17 MR. MCPHERSON: Love it.

18 MR. SEXTON: All right.

19 MR. MCPHERSON: Okay. No, we're good.

20 THE HEARING OFFICER: Micki.

21 MS. GUY: Hi Micki Guy. E.M.S.

22 Coordinator of Glens Falls Fire department. And I
23 just -- I have some -- just a couple questions as
24 things are popping into my mind.

25 When Glens Falls -- City of Glens

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 Falls went for their C.O.N. years ago, I remember we
3 got denied the certificate of need for the City of
4 Glens Falls because they said we did not show need,
5 which we were giving call data. We gave how many
6 calls were dropped, how many -- the extended response
7 times. But they said, we still did not show need,
8 and our application got denied even though we showed
9 data showing that stuff was not being answered.
10 Until they changed mid -- the law, were we able to
11 get our C.O.N.

12 So for me, showing need in this
13 situation is nobody's shown that there's calls not
14 being answered, there's a delay in response. I don't
15 see that data in any of the -- you're saying how many
16 calls are answered, but how many are not answered?
17 What is the actual need, and how is that -- when we
18 talk about -- so just the fact to do it legally, is
19 that a part of getting a certificate of need just to
20 be able to do things legally? Does that meet that
21 definition of certificate of need in putting in the
22 application?

23 I'm curious, just a couple questions.
24 I just know that we showed the call data is not being
25 done, and we've still been denied the certificate.

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2 MR. MCPHERSON: Can -- can we do that
3 one --

4 MR. NOBEL: Just give me one second.
5 So first off, I apologize you guys were denied. You
6 should have never been denied the first time. I can
7 remember hearing about that.

8 THE HEARING OFFICER: Can you speak up
9 a little bit?

10 MR. NOBEL: Sorry. The -- the data
11 that we provided is data that shows obviously that
12 the primary C.O.N. holders are not available. I --
13 you're right. I -- maybe I should keep track of the
14 ones we turn down. It's just, it -- it's a lot.
15 Especially for someone who doesn't get paid to do
16 this on a regular basis.

17 I'm going to give you an example of
18 the primary C.O.N. holder, I believe on the 28th or
19 27th at four a.m., we were contacted to bring a
20 critical patient to Glen -- from Glens Falls Hospital
21 to Albany Med. We accepted because Ambulnz was not
22 available. Not even ten minutes after we received
23 another phone call, hey, can you bring this patient
24 back to their nursing home or wherever it was in
25 Washington County. And our transport supervisor

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 said, yeah, no problem. And then the secretary turns
3 around and says, this patient's been waiting since
4 one a.m. And Ambulnz is not available until ten a.m.

5 MS. GUY: Right.

6 MR. NOBEL: This was five o'clock in
7 the morning.

8 MS. GUY: I'm saying that's one call,
9 like where's the call data --

10 MR. NOBEL: But that's --

11 MS. GUY: -- that shows that there's a
12 need?

13 MR. NOBEL: Unfortunately Glens Falls
14 Hospital did not turn that over. But this is -- this
15 is a consistent, this is not like a one week one day
16 thing. This is a constant thing. We get patients
17 that wait three, four, five, six hours to be moved
18 and some of them are critical. And it's -- it's a
19 regular occurrence.

20 It's nothing, as you guys see the city
21 of Glens Falls is -- is out busy. That's why I
22 didn't include you guys in my letter, because you
23 guys are busy. But ambulance in Mohawk are --
24 Mohawk's nearly not non-existent. And Ambulnz, their
25 ambulance has been parked behind Glens Falls Hospital

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2 unstaffed for the last three days.

3 MS. GUY: I'm -- I'm just saying that
4 I don't see data saying that there's -- there's where
5 --

6 MR. NOBEL: I wish --

7 MS. GUY: -- where it's missing.

8 MR. MCPHERSON: I -- I think -- I
9 think because the -- the -- the metric to collect
10 that data is a little weird in the -- in the
11 transport sense because somebody's going to
12 eventually answer the phone. Unlike a nine one one
13 call, it goes to the nine one center. Yeah.

14 MS. GUY: Right. So the need is being
15 met even though --

16 MR. MCPHERSON: Right. I mean the --
17 the patient's got to move. So you call thirty
18 ambulances.

19 MS. GUY: Right. So I'm saying we're
20 meeting the need. So the reason for the certificate
21 of need is just so you can bill legally. That's what
22 you're saying?

23 MR. MCPHERSON: Well, and continue to
24 participate. I mean there's twenty-one hundred calls
25 that they call the non C.O.N. holder for --

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2 MR. NOBEL: Can I see the 3010? It

3 was --

4 MR. MCPHERSON: It's -- it's in there.

5 MR. NOBEL: Just so --

6 MS. GUY: So basically, it's just so
7 you can bill legally. Right?

8 MR. MCPHERSON: One con -- continue to
9 do this because it -- it's a losing proposition to do
10 it for free.

11 MS. GUY: Right. Well, Moreau's been
12 doing it for years without having a C.O.N. That's
13 what I'm saying.

14 MR. MCPHERSON: So there --

15 MS. GUY: It's just so you can bill
16 legal basically.

17 MR. MCPHERSON: Well, correct. And
18 they -- you know, to Lee Burns' point is they're also
19 running the risk of not getting paid.

20 MS. GUY: I was just wondering if the
21 certificate of needs stuff -- because that is the
22 thing is just so that they can bill legal.

23 MR. NOBEL: Ms. Burns, do you have --

24 MR. MCPHERSON: Oh correct.

25 MR. NOBEL: -- 3010 open in front of

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 you by any chance?

3 THE HEARING OFFICER: I could.

4 MR. NOBEL: Section -- section one of
5 3010. So I, like most Warren County agencies try to
6 make sure that I did my due diligence. I met several
7 times with Glens Falls Hospital, just as other chiefs
8 have. We also said, this is what we can provide to
9 you. And again, radio silence, just like Chief
10 Barney said. We did not receive a contract, but we
11 did ask what are your needs. And we gave them their
12 needs.

13 It wasn't until about eight months ago
14 that I had someone from the state contact me and ask
15 me if we had intended to file for a C.O.N. I asked
16 why. I didn't know. And then I had an email sent to
17 me. Sorry, not -- I think it was a text message with
18 3010 and it was highlighted in section one. Can you
19 read that ma'am?

20 THE HEARING OFFICER: Yes, when it
21 opens.

22 MR. NOBEL: And I was -- I was
23 dumbfounded. I -- you know, I thought I knew a lot
24 as a chief and I've learned that I'm just scratching
25 the surface when it comes to New York State E.M.S.

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 Again, we want to do this legally because I have also
3 heard of E.M.S. agencies where C.M.S. comes in and
4 says, give us our money back. And those agencies did
5 not survive it.

6 I -- Warrensburg they're right, they
7 do just as -- they -- they do what, five, six hundred
8 so far this year. I think. Could you imagine if New
9 York State Medicaid came in and said, give us -- give
10 us your money back. You wouldn't survive it either.

11 So, we want to do this legally to be
12 able to help the hospital. It's not to hurt any
13 Warren County assets, it's not to take nine one one
14 calls, it's not to hurt anybody. Like I -- like I
15 stated in my letter, we would support anybody who
16 files to this legally. We just are seven miles from
17 a hospital.

18 So we're a little bit closer and we
19 get called a little bit more often. But we support.
20 I mean, there's times -- there's times I tell the
21 hospital secretary call Warrensburg, we're not
22 available. I -- I literally do. Yes, there's feuds
23 that go back and forth, but I tell them just like
24 Moreau, call Moreau. They get an S.E.T. patient and
25 we don't -- you know, we don't have an A.L.S.

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2 provider call Moreau. We do it all the time.

3 So -- but it's 3010 section one is --
4 is -- is what originally drove this and it's black
5 and white. There's -- and they use the key word in
6 there, only. That's a defining word that's, there's
7 no other interpretation of that word.

8 UNIDENTIFIED MALE SPEAKER: I hope
9 it's open.

10 THE HEARING OFFICER: Yeah. It's --

11 MR. NOBEL: I talked long enough.

12 THE HEARING OFFICER: You didn't.

13 MR. WILLIAMS: And I can -- I can
14 speak to the need. I mean, I -- I -- I hear a lot of
15 people talking about the need. Where's the need?
16 What demonstrates need? The need is evident in the
17 patient volume. I mean, everybody transports down.
18 If we lose one agency, we lose a significant portion
19 of the ability to transport our -- our throughput,
20 you know, decreases.

21 So I think the need is self-evident.
22 We need more. We need more agencies transporting.
23 We don't need fewer. If this is a way to do it, to
24 ensure that you get reimbursed for the work that
25 you're doing, then so be it. You know, at -- in this

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 current environment where money's being aggressively
3 defunded from healthcare, I think we need to shore up
4 our revenue streams and make sure that if you have
5 work -- if you -- if you are doing work, if you are
6 providing a service, you need to make sure that you
7 are going to get refunded or reimbursed for that
8 money because it very easily could disappear in this
9 current climate.

10 MR. NOBEL: Okay. I -- I --

11 THE HEARING OFFICER: What do you want
12 to hear?

13 MR. NOBEL: I actually ended up
14 finding it. I have it at my fingers. If you want --

15 THE HEARING OFFICER: Go ahead.

16 MR. NOBEL: So area of operation and
17 transfer is section 3010 public health chapter forty-
18 five Article 30, area of operation transfer in
19 section one. Every ambulance service certificate of
20 statement of registration issued under this article
21 shall specify the primary territory within which the
22 ambulance service shall be permitted to operate.

23 An ambulance service shall receive
24 patients only within the primary territory specified
25 on its ambulance C.O.N. It -- it -- it's black and

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 white. It's not -- they use the word only. That's a
3 definitive word. We want to do this legally. We're
4 not here to hurt anybody. There's more than enough
5 business to go around.

6 Yes, unfortunately, you're right.
7 E.M.S. went from being a volunteer service to a
8 business. Our town does the best they can to give us
9 the revenue that they do. But it's not enough for us
10 to put a paramedic on every single day. So we had to
11 figure out another way to make sure that our
12 residents received a paramedic ambulance Monday
13 through -- Sunday through Sunday and we're doing
14 that. Why? Because we got into the inter facility
15 game.

16 And unfortunately, it's not a business
17 that's going away, it's just increasing. Amb -- I
18 miss Empire, trust me. All right. They -- they did
19 the best they could for what, twenty something --
20 thirty something years. All right. But
21 unfortunately Ambulnz is not meeting the needs of the
22 hospital, so other agencies like us and Warrensburg
23 are picking it up. We have to do it legally. Thank
24 you.

25 THE HEARING OFFICER: Unless there is

1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 any further remarks. I'm working --

3 MS. TREANOR: So, let me ask a
4 question because for most of you -- so I'm Storm
5 Treanor. I am a REMSCO member, and I work as a nurse
6 in the emergency room also in Plattsburgh. So I
7 understand the dilemma that Glens Falls is going
8 through. I do get the problem of moving patients,
9 which is huge.

10 And to me it's distinct and for me
11 it's very separate. So to me that's a transport
12 service, and then there's the nine one one system,
13 which are really two very different animals in
14 reality. There's a patient sitting in a hospital
15 that is presumably cared for but needs a higher level
16 of care. And so the impact for the critical patient
17 waiting to go to a higher level of care is huge.
18 Maybe the patient who's just going for an evaluation
19 is not so huge, but for those who are critical,
20 getting them out of the E.R. is to me primary.

21 If we don't have ambulances that are
22 able to do that and do that legally, I think that
23 that's a detriment to our patient care not from the
24 nine one one perspective necessarily, except that it
25 impacts your ability to get a patient into the E.R.,

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2 right? You can't move patients -- if we don't move
3 patients out, we can't move patients in.

4 And so this then becomes the next
5 problem for us. So what do you do with the critical
6 patient and we don't have enough nursing staff or
7 enough physicians to be able to care for the critical
8 patients if we can't move those who are critical and
9 able to move on, we can't take care of the next
10 patient, the next critical patient you bring to me.

11 So we are fortunate that we don't have
12 to divert frequently in our area for the most part.
13 Right? You don't divert down here at all. So we
14 don't either, in Plattsburgh. But -- so what would
15 Glens Falls do without the transport services in --
16 and to me it makes sense that if we need a C.O.N. to
17 be able to do this, that everybody in probably Warren
18 County who wants to do transports should apply.

19 I think that it's simple, and then the
20 hospital can set up not necessarily to reimburse you
21 on a regular basis, but maybe everybody shares the
22 revenue. I don't know, I'm not sure how that works.
23 That's way above my pay grade. But what do you do to
24 make this facility work for all of you and for you to
25 be able to build safely so you'll get together or get

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2 together and either individually apply for C.O.N., so
3 that you can all bill appropriately and be safe from
4 the Medicare and the -- the legal perspective, and
5 then do what you are able to do and set that up with
6 the hospital as to where you're available.

7 I -- to me that just makes a little
8 more sense. Why does it need to be restricted? You
9 know, like I face the same problem in Clinton County.
10 I have -- I have agencies that have gotten C.O.N.s
11 because they wanted to be able to staff other areas
12 that they didn't have a C.O.N. for, and they were
13 able to do that.

14 We only had one small area that didn't
15 get picked up by one of our large agencies to be able
16 to transport to, but so. So we've managed to work
17 through some of these issues, but I think that you
18 need to get together as a group and have the
19 discussion because that may be helpful for you, and
20 it may be helpful in the long run for Glens Falls.
21 Does that make sense?

22 I think that this isn't a one-man show
23 necessarily. I think it's everybody, like, I would
24 like the agency that has C.O.N. for all of Clinton
25 County to be able to do transports. Have they

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2 applied for that? No. They have a C.O.N. that they
3 could do it, but they haven't got a transport service
4 or they haven't done what Glen's Fall, what Fort Ann
5 is trying to do, which is develop one that will help
6 offset their revenue.

7 Which is the way I think it makes
8 sense to try and go. If -- if you could all get on
9 board, then maybe it would work for everybody. You
10 might get a little less revenue individually, but it
11 would help sustain all of you in the long run, which
12 is really what you're looking to do. Right? Okay.

13 THE HEARING OFFICER: Is there anyone
14 else who wishes to speak -- is there anyone else who
15 wishes to speak? Is there anyone else who wishes to
16 speak? And seeing none, the hearing is closed at
17 eleven thirty-one.

18 (The hearing concluded at 11:31 a.m.)
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1 9/2/2025 - Fort Ann Rescue Squad - Lake George, NY
2 STATE OF NEW YORK
3 I, DANIELLE CHRISTIAN, do hereby certify that the
4 foregoing was reported by me, in the cause, at the time
5 and place, as stated in the caption hereto, at Page 1
6 hereof; that the foregoing typewritten transcription
7 consisting of pages 1 through 79, is a true record of all
8 proceedings had at the hearing.

9 IN WITNESS WHEREOF, I have hereunto
10 subscribed my name, this the 16th day of September, 2025.

11

12 DANIELLE CHRISTIAN, Reporter

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