

# 2018 Mid-Term Elections Results



## 70<sup>TH</sup> Annual Convention Wrap-up





### **CAA** Vision

Assure delivery of excellent pre-hospital care to the people of California by promoting recognized industry best practices.

### **CAA** Mission

Serve as the voice and resource on behalf of emergency and non-emergency ambulance services to promote effective and fiscally responsible EMS systems and standards.

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## **Editorial** Information

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Circulation among California's private ambulance providers, elected officials and EMSA administrators.

## President's Message

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**Alan McNany** | *President*

It is an honor and privilege to begin serving my second year as the President of the CAA. I have the distinct pleasure of serving with a distinguished Board of Directors.

Those recently elected (September) to the Board include: Ed Guzman, Sierra Ambulance Service Inc., Oakhurst; Eb Muncy, Desert Ambulance Service, Inc., Barstow; and new to the Board Rob Smith, Riggs Ambulance Service, Merced.

Board members serve a two-year term, and these three members join the existing four members who are starting their second year of their terms: Steve Grau, Royal Ambulance, San Leandro; James Pierson, Medic Ambulance Service, Inc., Solano; Todd Valeri, American Ambulance, Fresno; and myself, American Legion Post #108 Ambulance, Sutter Creek. Josie Engman also serves on the Board as the appointed Sargent-At-Arms.

In addition to the elected Board, the leadership team of the CAA also includes Committee chairs. These people provide essential services in advancing the goals of the Association and do much of the "heavy lifting" in the work load. Current chairpersons of CAA committees are: Steve Melander, American Ambulance, Data, Operations, and Quality Committee; Myron Smith, Hall Ambulance Service, Inc., Legislative and Agency Relations Committee; Jimmy McNeal, Schaefer Ambulance Service, Inc., Education Committee; Donna Hankins, American Ambulance, Payer Issue Committee; Frank Kelton, San Luis Ambulance, Nominating Committee; Jimmy Pierson, Annual Conference Committee; Ed Guzman,

Membership Development & Services Committee; and Jaison Chand, City Ambulance of Eureka, CAA's representative to the EMS Commission. The CAAPAC Committee is currently looking for a new Chair. If you are interested, please send an email to [info@the-caa.org](mailto:info@the-caa.org).

First, I want to publically welcome Rob Smith aboard. His willingness to devote his time and energy to actively participate in CAA leadership is very much appreciated. Undoubtedly, all of us will benefit from the new perspective on issues he will bring and his years of experience in the ambulance industry.

Second, I need to publically thank the Board members and the Committee chairs. These leadership positions come with significant work/time requirements and none of the positions come with any compensation. These volunteer positions are embraced because of the love for the industry and a desire to see and make improvements. They are wanting and striving for the ambulance industry to achieve greatness and improve EMS in California. The dedication of these individuals is remarkable and the time, energy, and resources they devote towards this end and to serve is awe-inspiring. Thank you colleagues for a job well done.

The leadership team meets in mid-November to formulate and update the CAA's strategic plan. Collectively, we will be establishing the CAA's goals and vision for 2019.

The leadership team is here to serve you, our members. Please do pass on your comments and suggestions to me and the leadership team with your ideas in making the CAA better. We are here for you. 🌟

## Executive Director's Report



**Ross Elliott** | Executive Director

# Ambulance Companies Receive Statewide Award for Innovation and Quality

## California Ambulance Association Service Excellence Award (CAASEA)

**T**here is much to celebrate when it comes to excellence, resourcefulness, and ground-breaking ideas amongst ambulance operations in California. Consequently, the CAA decided it is time to formally recognize and applaud these accomplishments.

The California Ambulance Association initiated a competitive EMS awards program in 2018. Similar to AAA's AMBY award, we believe it is important highlight those in the ambulance profession in California that set and raise the bar for the industry.

We anticipate and hope that the California Ambulance Association Service Excellence Award (CAASEA) (*pronounced keis-see*) will become a respected, coveted, and sought after annual award in recognizing the ingenuity and entrepreneurial spirit in California.

On September 27, 2018, at the California Ambulance Association Annual Convention and Reimbursement Conference the first-ever CAASEA awards were given to three ambulance companies for service excellence. Award recipients were: Hall Ambulance Service, Bakersfield; Medic Ambulance Service, Vallejo/Sacramento; and Paramedics Plus, Alameda. Here is a summary of each award:

### Category: Community Impact

#### Hall Ambulance Service, Bakersfield – Siren the Rescue Dog

Siren the Rescue Dog is a mascot for Hall Ambulance Service. Patterned after Harvey & Lavonne Hall's family pet St. Bernard's "Siren" and "Rescue," the cheerleader mascot serves at numerous community events and is a brand of the ambulance company. Beyond the mascot component, Hall Ambulance invested in the design and production of several thousand matching stuffed animals. These small plush toys are given to children who have suffered some type of tragedy; the responding ambulance crews are able to offer an extra measure of comfort with the small version of Siren the Rescue Dog. This marketing tool goes beyond name recognition and serves as a meaningful reminder of something good coming from unfavorable circumstances.

#### Medic Ambulance Service, Inc., Vallejo – Youth Academy

Meaningful solutions to societal problems, such as dropping out of high school and juvenile delinquency, can be elusive. However, Medic Ambulance has found a program that is achieving amazing results. Medic is a major sponsor and supporter of the Youth Academy in Vallejo, and

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# Executive Director's *Report*

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this program is helping teens to stay in school, set long-term goals, and become productive adults. The Youth Academy is a bright spot in a community suffering through some difficult economic times; it is steering youth in the right direction. The program would not exist without the financial contributions, educational support, employment opportunities, and commitment to the community given and offered by Medic Ambulance.

## Category: Clinical Service/Patient Outcomes

### Medic Ambulance Service, Inc., Vallejo – AED Placement and Community Education

Medic Ambulance has been engaged in a community-wide automated external defibrillator (AED) program to improve cardiac arrest survival rates and improve the quality of life in their communities. In collaboration with other community partners, dozens of AEDs have been strategically placed in public places. Medic provides the oversight, bystander CPR training, AED training, and AED maintenance. Within Medic's service area the rate of "Return of Spontaneous Circulation" (ROSC) is over 24%, which is over four times the national average of fewer than 6%. Phenomenal results!

## Category: Innovation in EMS

### Medic Ambulance Service, Inc., Vallejo – Community Paramedicine Project

Medic Ambulance initiated a community paramedic pilot project that focuses on the needs of CHF and COPD patients recently hospitalized. Medic's program intervenes with hands-on services to try and reduce hospital readmission rates and improve the health of its patients. Prior to the project, readmission rates were some 23%. Now, the rate has dropped to 7.7%, and patients being served by Medic Ambulance are healthier.

## Category: Employee Programs

### Hall Ambulance Service, Bakersfield – Annual Employee Recognition Awards

Employee recognition is a hallmark of the culture at Hall Ambulance Service, Inc. established early on by our founder, Harvey L. Hall. The purpose of the Employee Recognition Awards is to honor those employees who achieve performance excellence in their respective division. Secondly, the celebration helps to inspire other employees who can see firsthand what their coworkers have achieved. Over the course of two days, 114 awards across 34 categories are bestowed and over \$12,000 in monetary gifts are awarded. It takes everyone in the company cumulatively to be able to respond and provide the exemplary service.

### Paramedics Plus, Alameda – Hiring Process & Training

Paramedics Plus identified the need to streamline the hiring process, improve the method used to select new hires, and provide a more comprehensive training program that addresses the needs of entry-level paramedics. After one year, we achieved our goals with a reduction in clearance times for Paramedics, decreased labor cost and time for pre-hire testing and interviews, decreased the amount of applicants lost to other employers, better defined the expectations of the field training for both new hires and the FTO's,

and increased the engagement of the medical director.

Details about each award-winning program are posted on the CAA's website at [www.the-caa.org/CAASEAWinners.asp](http://www.the-caa.org/CAASEAWinners.asp). Congratulations goes out to the winners of the CAASEA awards! Each of these companies are deserving of recognition for their innovation, commitment to their communities, and extraordinary service.

In addition, the CAA extends a huge thank you and much appreciation to the panel of independent judges. The judges, consisting of: Michael Petrie, past EMSAAC president and Monterey County EMS Chief; Jennifer Lim, Deputy Director of California EMSA; Dana Solomon, past president of the CAA and retired ambulance company owner; and Ross Elliott, CAA Executive Director, reviewed all of the submissions and scored the programs. Having a panel with a broad cross-section of experience and expertise lends credibility to these awards.

Ambulance companies willing to share their knowledge and ideas with their colleagues is the ideal way to demonstrate a company's commitment to excellence. By sharing these achievements, these companies help to set the bar for everyone else in California. Sharing this information improves California's ambulance industry and strengthens the profession. Nominations for next year's CAASEA awards will open during the Summer months; be looking for the announcements. ✱





# Legislative Update



**Chris Micheli** | Legislative Advocate

**C**he 2018 Legislative Session concluded on Sunday, September 30 when Governor Jerry Brown finished acting on the 1,217 bills that reached his desk. He vetoed 201 (or 16.5%) of those bills.

## Senate Bills

**SB 833 (McGuire)** – This bill, on or before July 1, 2019, requires OES, in consultation with specified entities, to develop voluntary guidelines for alerting and warning the public of an emergency. The bill requires OES to provide each city, county, and city and county with a copy of the guidelines. In addition, the bill authorizes OES to impose conditions upon application for voluntary grant funding that it administers requiring operation of alert and warning activities consistent with the guidelines. The bill requires OES, within 6 months of making the statewide guidelines available and at least annually thereafter and through its California Specialized Training Institute, to develop an alert and warning training.

*CAA supported this bill, which was signed into law by the Governor, because of the importance of having the Office of Emergency Services develop public emergency guidelines for alerting and warning citizens.*

**SB 944 (Hertzberg)** – This bill would have created the Community Paramedicine Act of 2018. The bill would have, until January 1, 2025, authorized a local EMS agency to develop a community paramedicine program to provide specified community paramedic services. The bill would have required the authority to review a local EMS agency's proposed community paramedicine program and approve, approve with conditions, or deny the proposed program within six months after it is submitted by the local EMS agency.

*CAA opposed this bill, unless it were amended, because it would improperly favor the public sector over the private sector in awarding community paramedicine programs. Under this bill, private providers would be excluded from providing community paramedicine programs unless the public sector declined to provide services. With the current program, 71% of the patients are being served by the private sector, so it does not make sense to exclude them from the community paramedicine program in the future.*

**SB 1305 (Glazer)** – This bill authorizes an emergency responder to provide basic first aid to dogs and cats to the extent that the provision of that care is not prohibited by the responder's employer. The bill limits

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# Legislative Update

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civil liability for specified individuals who provide care to a pet or other domesticated animal during an emergency by applying existing provisions of state law. The definition of “basic first aid to dogs and cats” for purposes of these provisions specifically includes, among other acts, administering oxygen and bandaging for the purpose of stopping bleeding.

*CAA supported this bill, which was signed into law by the Governor, because it would allow EMS to respond to these unique situations if the training had been provided and the EMS company chose to have its personnel respond to animal emergencies, rather than requiring training or requiring response.*

## Assembly Bills

**AB 697 (Fong)** – This bill would have applied an exemption available to public sector EMS providers to the use of a toll facility and would have expanded the exemption, dispute resolution procedures, and agreement provisions to include a privately-owned emergency ambulance licensed by the Department of the California Highway Patrol.

*CAA was the sponsor of this bill, which was vetoed by the Governor, because we believe that all 911 responders should be treated equally. As public EMS providers have this toll exemption in state law, so, too, should private sector providers.*

**AB 1116 (Grayson)** – This bill, until January 1, 2024, creates the Peer Support and Crisis Referral Services Pilot Program. The bill defines a “peer support team” as a team composed of emergency service personnel hospital staff, clergy, and educators who have been appointed to the team by a Peer Support Labor-Management Committee and who have completed a peer support training course developed and delivered by the California Firefighter Joint Apprenticeship Committee or the Commission on

Correctional Peace Officer Standards and Training. The bill provides that a communication made by emergency service personnel or a peer support team member while the peer support team member provides peer support services is confidential and shall not be disclosed in a civil, administrative, or arbitration proceeding.

*CAA supported this bill, which was signed into law by the Governor, because we believe that EMS personnel should have access to peer support teams and protects those services from disclosure.*

**AB 1795 (Gipson)** – This bill would have authorized a local emergency medical services agency to submit, as part of its emergency medical services plan, a plan to transport specified patients who meet triage criteria to a behavioral health facility or a sobering center. The bill would have made conforming changes to the definition of advanced life support to include prehospital emergency care provided during transport to a behavioral health facility or a sobering center. The bill would have authorized a city, county, or city and county to designate, and contract with, a sobering center to receive patients, and would have established standards that apply to sobering centers.

*CAA supported this bill, which failed passage, because it would have allowed additional community paramedicine programs to take place to ensure patients are being properly treated. Unfortunately, this bill was held on the Suspense File in the Assembly Appropriations Committee, but CAA continues to pursue the continuation and expansion of the community paramedicine program in this state.*

**AB 2009 (Mainschein)** – This requires a school district or charter school to (1) ensure that there is a written emergency action plan in place, and posted as specified, that describes the location and procedures to be followed in the

event of sudden cardiac arrest or other medical emergencies related to the athletic program’s activities or events, (2) acquire, commencing July 1, 2019, at least one AED for each school within the school district or the charter school to be available on campus, (3) encourage that the AED or AEDs are available for the purpose of rendering emergency care or treatment, as specified, (4) ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at the athletic program’s on campus activities or events, and (5) ensure that the AED or AEDs are maintained and regularly tested, as specified. The bill expressly states that an employee of a school district or charter school is not liable for civil damages resulting from certain uses, attempted uses, or nonuses of an AED in the rendering of emergency care or treatment pursuant to the bill’s provisions.

*CAA supported this bill, which was signed into law by the Governor, because it ensures that AED devices are at each school campus and that there is specific protection from civil liability for the schools resulting from the use of the AED.*

**AB 2069 (Bonta)** – This bill would have provided that, when used to treat a known physical or mental disability or known medical condition, the medical use of cannabis by a qualified patient or person with an identification card is subject to reasonable accommodation. The bill would have provided that it does not prohibit an employer from refusing to hire an individual or discharging an employee who is a qualified or person with an identification card, if hiring or failing to discharge an employee would cause the employer to lose a monetary or licensing-related benefit under federal law. The bill would have also provided that it does not prohibit an employer from terminating the employment of, or taking corrective

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# Legislative Update

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action against, an employee who is impaired on the property or premises of the place of employment or during the hours of employment because of the use of cannabis.

*CAA opposed this bill and joined a large coalition led by the California Chamber of Commerce because of the expansive nature of this bill. There is no current test for impairment due to cannabis use and so employers would be limited in their ability to ensure the safety of all employees. Fortunately, due to the coalition's efforts, this bill was held on the Suspense File in the Assembly Appropriations Committee.*

**AB 2293 (Reyes)** – This bill requires each local EMS agency and other certifying entities to annually submit to the state EMSA, by July 1 of each year, data on the approval or denial of EMT-I or EMT-II applicants, containing specified information with respect to the preceding calendar year, including, among other things, the number of applicants with a prior criminal conviction who were denied, approved, or approved with restrictions.

The bill requires the state authority to annually report to the EMS Commission on the extent to which prior criminal

history may be an obstacle to certification as an EMT-I or EMT-II, and requires the authority to annually submit the same report to the Legislature and make the report easily accessible on the authority's Internet Web site.

*CAA was neutral on this bill, which was signed into law by the Governor. However, CAA had opposed the earlier version of this measure because of its limitation on the grounds that could be considered in the denial of an EMT's application. We successfully worked with the bill's author to address concerns we raised with the bill's earlier provisions.*

**AB 2303 (Thurmond)** – This bill, for the privilege of contracting with a state prison, the Department of Corrections and Rehabilitation, or the Department of General Services, to provide goods, services, or both, would have imposed a tax on vendors at the rate equal to 10% of the final contract price for contracts entered into on or after the effective date of the bill.

*CAA opposed this measure because we do not believe such a targeted tax is warranted, especially in light of the low reimbursement rate paid to ambulance providers. This bill was amended by the author into a different*

*subject and the measure did not pass the Legislature.*

**AB 2436 (Mathis)** – This bill would have required the State Department of Health Care Services to establish payment rates for ground ambulance services based on changes in the Consumer Price Index-Urban.

*CAA actively supported this bill which is similar to measures that CAA has sponsored in past years to increase the Medi-Cal reimbursement rates for ambulance providers. Unfortunately, this measure was held on the Suspense File of the Assembly Appropriations Committee.*

**AB 2593 (Grayson)** – This bill would have required the department to set and maintain the Medi-Cal fee rate for air ambulance services provided by either fixed or rotary wing aircraft that is equal to a percentage of the rural Medicare rates for those services, as described and effective July 1, 2019, and to the extent federal financial participation is available and any necessary federal approvals have been obtained. The bill would have specified that, commencing July 1, 2019, the amounts a noncontract emergency

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The California Ambulance Association is now welcoming non-members to subscribe to the *Siren* magazine. Published quarterly, the *Siren* is a comprehensive source of information on issues that are important to the ambulance industry. Contents include feature articles, association educational and networking events, legislative updates and analysis, member news and much more.



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# Legislative Update

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medical transport provider could collect if the beneficiary received medical assistance other than through enrollment in a Medi-Cal managed care health plan pursuant to a specified federal law would be the resulting fee-for-service payment schedule amounts after the application of the rate established pursuant to the bill.

*CAA supported this bill, which was vetoed by the Governor, because it would have provided additional state funding to our air ambulance provider members.*

**AB 2760 (Wood)** – This bill requires a prescriber to offer a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to a patient when certain conditions are present and to provide education on overdose prevention and the use of naloxone hydrochloride or another drug to the patient and specified others. The bill subjects a prescriber to referral to the board charged with regulating his or her license for the imposition of administrative sanctions, as that board deems appropriate, for violating those provisions.

*CAA supported this bill, which was signed into law by the Governor, because we believe these anti-overdose drugs should be made available with proper education and use.*

**AB 2961 (O'Donnell)** – This bill requires a local EMS agency to submit quarterly data to the state EMS authority that, among other things, is sufficient for the authority to calculate the average ambulance patient offload time by local EMS agency jurisdiction and by each facility in a local EMS agency jurisdiction. The bill requires the state EMS authority to calculate those averages and report them twice per year to the Commission on Emergency Medical Services. The bill also requires the authority, on or before December 1,

2020, to submit a report to the Legislature on the average ambulance patient offload time and recommendations to reduce or eliminate ambulance patient offload time.

*CAA supported this bill, which was signed into law by the Governor, because we are dealing in a number of metropolitan jurisdictions with the problem of "wall time." The data that will be generated pursuant to this bill will hopefully provide the means to reduce or even eliminate this problem.*

**AB 3115 (Gipson)** – This bill would have established within the EMS Act until January 1, 2025, the Community Paramedicine or Triage to Alternate Destination Act of 2018. The bill would have authorized a local EMS agency to develop a community paramedicine or triage to alternate destination program to provide specified community paramedicine services. The bill would have required the state EMS authority to develop regulations to establish minimum

standards for a program and would have required the Commission on Emergency Medical Services to review and approve those regulations. The bill would have required a local EMS agency that opts to develop a program to perform specified duties that include, among others, integrating the proposed program into the local EMS agency's EMS plan.

*As we did with SB 944 (discussed above), CAA strongly opposed this bill, which was vetoed by the Governor. We believe this bill also would have inappropriately favored the public sector over the private sector in awarding community paramedicine programs. Under this bill, private providers would be excluded from providing community paramedicine programs unless the public sector declined to provide services. With the current program, 71% of the patients are being served by the private sector, so it does not make sense to exclude them from the community paramedicine program in the future. \**



## CAA Membership is a Business Essential

The business environment, the healthcare sector and the EMS industry are evolving at an ever-increasing pace. At the CAA we are dedicated to providing members with the essential tools, information, resources, and solutions to help your organization grow and prosper. And, the CAA's collective efforts on statewide legislative and regulatory issues are not possible without strong membership support and engagement.

### Take your place in California's statewide ambulance leadership

Membership not only saves you money on CAA events and resources, but also keeps you up to date on trends, innovations, and regulatory changes through:

- Leadership on statewide legislative and regulatory issues
- Targeted conferences & educational programs
- Member-only updates and alerts
- Member-only discounts & access to expert resources
- Opportunities to exchange ideas with your colleagues statewide



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## Feature Article

# Recovering Loss of Revenue From “Not at Fault” Accidents

**Brian Ludlow**

Alternative Claims Management



**W**hen your units get hit by a third party and the vehicle is out of service, are you getting Loss of Revenue for the downtime while the unit is being repaired? Whether you answered yes or no to that question, reading this article will be the one of the most lucrative uses of your time this year.

A call comes in and your dispatcher does a perfect job of answering and scheduling the run. The EMT's jump into the clean, fueled and well stocked ambulance responding to the call. Then from out of nowhere, a car turns directly the ambulance's path running a stop sign. Now what? You have two paramedics stranded on the side of the road who will be spending the next few hours on paperwork and drug testing. In addition, all the drugs and small equipment need to be removed or secured. Hopefully you have another unit to dispatch or your competitor may have already been called.

Even if you had spare units available, your entitled to the Loss of Revenue while the unit is out of service.

What happens next is key to getting maximum recovery for your losses caused by the accident.

Key items that help maximize your recovery from accidents:

1. Educate and equip fleet drivers with the tools necessary to collect key accident information at the scene. This includes a description of the accident, clear color pictures of the accident scene, the damaged vehicles, and third-party driver's license and insurance information.
2. Gather as many witnesses as possible and statements from both drivers.
3. On board videos are great, but if not, having a smart phone video of the damage and intersection can be very helpful if the liability is in question.
4. Get an accurate and thorough estimate. Be aware that, for the most part, insurance companies are motivated to pay out the least amount possible to get the claim settled. Their adjusters are typically not trained accurately determine the damage to specialty vehicles or the equipment they may contain. Using a Third Party Administrator (TPA) with strong commercial fleet experience is critical.

We are surprised how many firms don't realize or understand what they are entitled to recover from an accident where their driver was “not at fault.” Essentially, the law supports that the owner is entitled to the use of their “chattel” and compensation pursuant to the same. Chattel is originally a Latin and old French term referring to moveable personal property. A cool term to throw out at the next risk managers meeting to impress everyone. With that said, what you are entitled to and what shows up in your mailbox are two drastically different things. Insurance companies are motivated to pay the least amount possible and delay that payment as long as possible.

### What Am I Entitled to From a “Not at Fault” Accident?

There are a lot of factors influencing this, but essentially you are entitled to your physical damage, cost for transporting the damaged unit, diminution of value and loss of use/revenue. How much you are entitled to are the subjective negotiations that firms like ACM engage in hundreds of times each day. Driver liability, statute of limitations and minimum policy limits vary from state to state. Typically, the state where the accident

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# Feature Article

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happens will be the applicable laws and regulations.

## If I Have a Spare Unit to Take the Place of the Damaged Vehicle, Am I Still Entitled to Loss of Revenue?

The short answer is yes, but getting the carrier to ink the check is another matter. There are real costs of having a spare unit which is why the law supports the loss of the use as a recoverable item. Acquisition cost, maintenance, licensing, certification, insurance, and storage are all costs incurred by having a spare unit on standby.

## Pursuing Loss of Revenue

The following are steps you can take to help maximize recovery:

1. Pursue all possible recoveries. There is often potential recovery from the third-party drivers in the form of an umbrella policy, company policy or personal assets. Driver liability, statute of limitations and minimum policy limits vary from state to state. The key is to know which accidents offer what potential in which states, and then to pursue recovery using

the latest industry tools as quickly as possible.

2. Follow insurance industry documentation standards. The required forms need to be properly completed and submitted to the third-party driver's insurance carrier. Knowing insurance industry regulations, standards and the law are key to move the carriers to action. Technically, a carrier can wait 30 days after receiving a demand before taking any action on the claim.
3. A key component to Loss of Revenue is accurate records showing the income the unit generated prior to the accident. This is the hardest to recover and gets the most pushback from the insurance companies. Putting the data in a format that meets the insurance company's needs varies by company.
4. Even after the carrier has accepted liability, be prepared to make a lot of follow-up calls and emails to get your claim paid. A common tactic used by carriers is to drag out the claim hoping you will either give up or accept less. Essentially wearing you down.

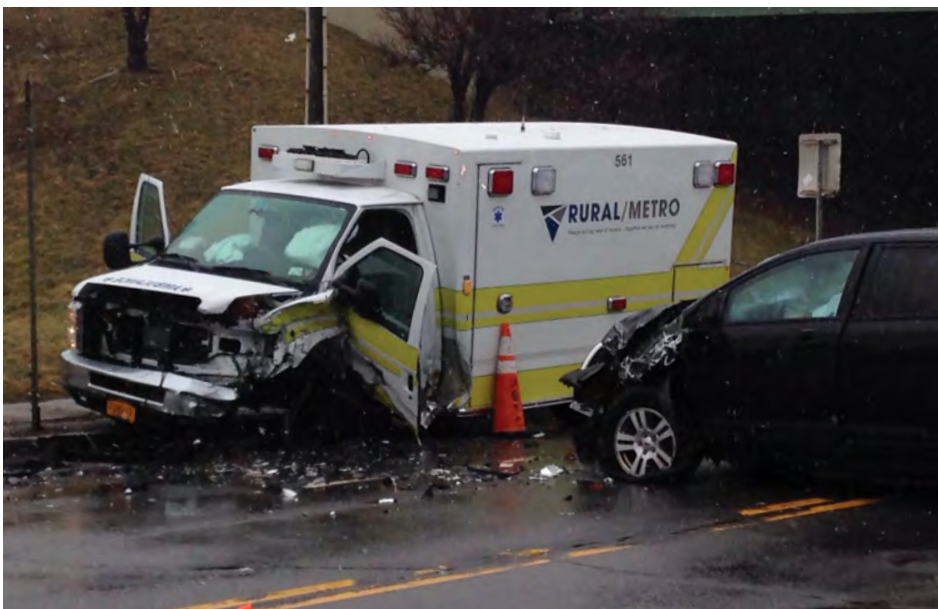
**The Second Key Recovery Component Is Diminution of Value (DV),** or Loss of Market Value the vehicle suffers even after it is repaired. Age of the vehicle, miles, condition and other factors determine this amount. Without a strong recovery plan or Third Party Administrator (TPA), we see significant diminution of value left on the table. The key here is strong data which supports your valuation utilizing use multiple sources and have extensive experience and a successful track record for recovering DV.

## Getting Accurate Value When a Vehicle Is a Total Loss.

The term "Total Loss" is an insurance term lacking legal definition. Carriers have often used title branding laws to determine if a vehicle is a "Total Loss." While each state has different criteria for "branding" titles, vehicles can and have been paid as total losses with damage percentages well below the title branding statutes. Carriers often tout statements such as "Federal Guidelines" or "State Statutes" when attempting to settle claims. More accurately, legal entitlements are based upon what is called the Restatement of Torts and defined by case law in each state. Typically, property and casualty insurance adjusters don't understand these laws and again are motivated to pay out the minimum possible. Engaging a firm that specializes in commercial fleet claims can provide an arm's length transaction necessary to be pro-active on the front side in setting the claim up properly, which usually results in a higher recovery.

So how do you win at the recovery game? Well unfortunately you are in a game where the opponent is highly motivated to not pay or pay the least possible, have their own set of rules on how much you should get and make most of their profit on dragging out a payment when they finally do decide to pay.

There are essentially three routes you can pursue.



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## Feature Article

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### 1. **Handle the claims yourself.**

Unless you have extensive knowledge in the law and insurance industry, plus have ample time to talk to the voicemails of insurance carriers this option may not be ideal and detract from your core business.

### 2. Let your insurance company handle the claim. They will pay your Physical Damage less your deductible, but unless your policy has coverage for Loss of Revenue and Diminution of Value they are unable to collect these amounts.

### 3. Hire a TPA (Third Party Administer) to handle the claims for you. Select a firm with a long track record, experience with specialty vehicles, adequate technology, a strong legal department, and specializes in Loss of Revenue recovery. Make sure their fees are performance based and they only win if you do. They can recover Loss of Revenue, Diminution of Value (inherent and repair related) and other costs typically not recovered.

Few fleets have the number of trained personnel in each of these areas to adopt these best practices. If the fleet's resources are already stretched to capacity, consider outsourcing to a TPA. The chances are the partnership will yield state-of-the-art best practices and pay for itself several times over.

I hope you found this article helpful, don't hesitate to contact me with any questions or to learn more. \*

Brian J. Ludlow is Executive Vice President for Alternative Claims Management. He is an entrepreneur and consultant to the insurance, financial, and transportation industries. Brian specializes in disruptive technologies. His firm has transformed the accident claims recovery process. [bludlow@AltClaim.com](mailto:bludlow@AltClaim.com) | 231-330-0515



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# Lobbying and Government Relations for Business Professionals (or Why CEOs Should Care about Being Policy and Political Actors)

**Mark Smith** | Environmental & Energy Consulting  
**Chris Micheli** | Aprea & Micheli, Inc.

For the past seven years, Mark Smith has taught a class at the UC Davis Graduate School of Management, which is called “The Business of Politics.” As a guest speaker, Chris Micheli has presented a lecture for several years on lobbying at the State Capitol. The premise of the course is straightforward: businesses are affected by government at the local, state, and federal levels and, as a business leader, it would be in your best interest to clearly understand that relationship. This may seem fundamental, but the surprising fact is that this topic is not one of the core fundamentals discussed in any business management curriculum.

Open any page of the *Wall Street Journal*, or click on the CNN website, and any day of the week you can find numerous examples of companies being affected by government regulation, a former CEO being selected for an executive branch appointment, or a current executive being hauled in front of Congress to explain corporate action (or inaction), tech startups creating business in and navigating a gray space where public policy has not been fully developed (such as autonomous vehicles or the use of drones), or cities competing for business growth or relocation with lucrative tax packages. The list is almost endless.

From greenhouse gas reduction regulations to legislative mandates on paid sick leave or minimum wage, policy and politics represent a minefield that requires careful navigation for optimal outcomes for your business.



Therefore, it is surprising that more business schools do not cover these fundamentals in detail.

Stepping back, let us start with the basics. What is government relations? One short answer is that government relations is essentially ensuring a relationship with the government entities that regulate you. It is valuable for this relationship to be a two-way street. While it is important for business professionals to be aware of how government impacts their business, it is equally valuable for government decision-makers (both elected officials and appointed regulators) to understand your business, including its purpose, how it operates, and how it can be most successful.

When was the last time you heard an elected official complain that we have too many jobs and need fewer of them? Whether they are local, state or federal elected or appointed officials, they should care about how your company provides jobs, is a valuable partner

in the community, and what they can do to support your business and its employees. But you must get in there and make your voice heard because others are not doing it on your behalf. That is where government relations and lobbying come into play.

In fact, business leaders might want to check if their competitors are engaged in the policy process to their own benefit, as well as to your detriment. Have you ever heard of a startup company called Uber? Do you wonder where the taxi cab companies and independent operators were when Uber started gaining steam? Do you ever read how the California Environmental Quality Act (CEQA) is used by one business or a labor union to prevent competition by restricting growth and investment of competitors?

You might ask, so what if I want to engage? How do I do that? What leverage does my business have in the policy and political

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## Feature Article

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arenas? Do I have to personally do this? The answers might surprise you, and it is probably easier than you thought.

First, your company, wherever it does business, employs constituents of a specific legislator or generates revenue in a specific legislator's district. This means that your legislator should want to be aware of who you are and what you do, and most importantly, support you and your business. But you need to educate them.

Second, remember that the value of business collectively is that private enterprise is the major revenue source for government by employing people (who pay income tax), conducting business (and paying corporate tax), and selling products (resulting in sales taxes). Without private industry, the government revenue model collapses upon itself. They need you.

Third, if your company is not large enough to have dedicated staff to represent you in the political space, then you should join a politically engaged trade association or hire a contract lobbyist. A successful lobbyist is knowledgeable regarding the subject matter of your business. He or she has working

relationships with key legislators and policy staff, as well as executive branch appointees (i.e., your regulators). He or she understands the politics and policy regarding the subject matter, can move legislation through the process, and can guide you through the regulatory regime in this state.

Business school and management courses are not designed to make aspiring business leaders experts in every subject area. Instead, they teach enough to develop awareness and

educate students on the right resources and the right questions to ask. If your business school curriculum is not teaching aspiring business leaders about the interaction of business, policy, and politics, they might be leaving out some critical information for your future success. ✱

Mark Smith is a Senior Policy Associate with Environmental & Energy Consulting. Chris Micheli is a Principal with Aprea & Micheli, Inc.



## CAA Committees

Annual Conference Committee – Chair Jimmy Pierson, Medic Ambulance Service, Inc.

CAAPAC Committee – (Vacant)

Data, Operations, and Quality (DOQ) Committee – Chair Steve Melander, American Ambulance

Education Committee – Chair Jimmy McNeal, Schaefer Ambulance Service, Inc.

Membership Development & Services Committee – Chair Edward Guzman, Sierra Ambulance Service

Payer Issues Committee – Chair Donna Hankins, American Ambulance

Legislative & Agency Relations Committee – Chair Myron Smith, Hall Ambulance Service, Inc.

Nominating Committee – Chair Frank Kelton, San Luis Ambulance Service

California EMS Commission – CAA's Representative Jaison Chand, City Ambulance of Eureka, Inc.

SB 523 Implementation Ad Hoc Committee – Chair Steve Grau, Royal Ambulance, Inc.

Add value to your membership by getting involved in a committee! Notices of committee meetings are now posted on the CAA's website at [www.the-caa.org/mem\\_committees.asp](http://www.the-caa.org/mem_committees.asp) and in the Weekly News and Information Bulletin. The work performed by the committees is of vital importance, and adding your voice/participation makes the CAA stronger and more effective.



## November 2018 California General Election Recap

**Chris Micheli** | CAA Legislative Advocate

The following is a summary of the outcomes from the California General Election ballot last month. For the constitutional offices, there were few surprises, as the following were successful:

### Governor

Current Lt. Governor **Gavin Newsom (D)** defeated businessman **John Cox (R)**; Jerry Brown, the incumbent, is termed out

### Lt. Governor

Former Ambassador **Eleni Kounalakis (D)** defeated current State Senator **Ed Hernandez (D)**; Gavin Newsom, the incumbent, is termed out and ran for Governor

### Secretary of State

Incumbent **Alex Padilla (D)** defeated **Marc Meuser (R)**

### Controller

Incumbent **Betty Yee (D)** defeated businessman **Konstantinos Roditis (R)**

### Treasurer

Current BOE Member **Fiona Ma (D)** defeated businessman **Greg Conlon (R)**; John Chiang, the incumbent, is termed out and earlier ran for Governor

### Attorney General

Appointed Incumbent **Xavier Becerra (D)** defeated **Steven Bailey (R)**

### Insurance Commissioner

Current State Senator **Ricardo Lara (D)** defeated businessman (and former IC) **Steve Poizner (NPP)**; Dave Jones, the incumbent, is termed out and earlier ran for AG – *CLOSE CALL/STILL COUNTING*

### Superintendent of Public Instruction

Educator **Marshall Tuck (NPP)** defeated current Assemblyman **Tony Thurmond (D)**; Tom Torlakson, the incumbent, is termed out – *CLOSE CALL/STILL COUNTING*

### Board of Equalization – District 1

Current State Senator **Ted Gaines (R)** defeated **Tom Hallinan (D)**; George Runner, the incumbent, is termed out; Gaines will resign his Senate seat in earlier January, which will trigger a special election that will feature current Assembly Members Brian Dahle and Kevin Kiley against former Assemblywoman Beth Gaines

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# Feature Article

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## STATE ASSEMBLY RACES

New partisan make-up is 56/57 Democrats and 23/24 Republicans (it was 55 D to 25 R). All of the Assembly seats were up in November for election.

Among the interesting races:

### AD 15

**Buffy Wicks (D)** defeated **Jovanka Beckles (D)**; Incumbent Tony Thurmond (D) ran for Superintendent of Public Instruction

### AD 30

**Robert Rivas (D)** defeated **Neil Kitchens (R)**; Incumbent Assemblywoman Anna Caballero (D) is termed out and ran for State Senate

### AD 32

**Rudy Salas (D)** – Incumbent - defeated **Justin Mendes (R)**

### AD 40

**James Ramos (D)** defeated **Henry Nickel (R)**; Incumbent Marc Steinorth (R) ran for board of supervisors

### AD 60

**Sabrina Cervantes (D)** – Incumbent – defeated **Bill Essayli (R)** – CLOSE CALL/STILL COUNTING

### AD 65

**Sharon Quirk-Silva (D)** – Incumbent – defeated **Alex Coronado (R)**

### AD 72

**Tyler Diep (R)** defeated **Josh Lowenthal (D)**; Assemblyman Travis Allen (R) ran for governor

### AD 76

**Tasha Horvath (D)** defeated **Elizabeth Warren (D)**; Assemblyman Rocky Chavez (R) ran for Congress

## STATE SENATE RACES

New partisan make-up is 27/28 Democrats and 13/12 Republicans (was 26 D and 14 R). Half of the Senate seats were up this November

Among the interesting races:

### SD 8

Supervisor **Andreas Borgeas (R)** defeated **Paulina Miranda (D)**; Senator Tom Berryhill (R) is termed out

### SD 12

Current Assemblywoman **Anna Caballero (D)** defeated **Rob Poythress (R)**; Senator Anthony Cannella (R) is termed out – CLOSE RACE / STILL COUNTING

### SD 14

**Melissa Hurtado (D)** defeated **Andy Vidak (R)** – Incumbent

### SD 16

Former Assemblywoman **Shannon Grove (R)** defeated **Ruth Musser-Lopez (R)**; Senator Jean Fuller is termed out

### SD 22

**Susan Rubio (D)** defeated former Assemblyman **Mike Eng (D)**; Senator Dr. Ed Hernandez (D) is termed out and ran for Lt. Governor

### SD 24

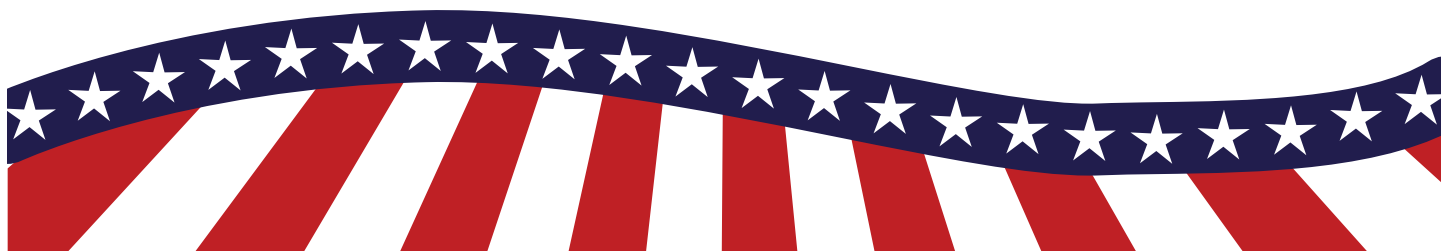
Former LA Labor Fed President **Maria Elena Durazo (D)** defeated **Peter Choi (D)**; Senator Kevin de Leon is termed out and ran for U.S. Senate

### SD 32

**Bob Archuleta (D)** defeated **Rita Topalian (R)**; former Senator Tony Mendoza (D) resigned the seat

### SD 38

Former Assemblyman **Brian Jones (R)** defeated **Jeff Griffith (D)**; Senator Joel Anderson (R) is termed out and ran for BOE





## Feature *Article*

Continued from page 15

### STATE BALLOT MEASURES

**Prop. 1** – Veterans and Affordable Housing Bond Act of 2018. **PASSED**

**Prop. 2** – No Place Like Home Act of 2018. **PASSED**

**Prop. 3** – Authorizes Bonds to Fund Projects for Water Supply and Quality, Watershed, Fish, Wildlife, Water Conveyance, and Groundwater Sustainability and Storage. Initiative Statute. **FAILED**

**Prop. 4** – Authorizes Bonds Funding Construction at Hospitals Providing Children's Health Care. Initiative Statute. **PASSED**

**Prop. 5** – Changes Requirements for Certain Property Owners to Transfer Their Property Tax Base to Replacement Property. Initiative Constitutional Amendment and Statute. **FAILED**

**Prop. 6** – Eliminates Recently Enacted Road Repair and Transportation Funding by Repealing Revenues Dedicated for those Purposes. Requires any Measure to Enact Certain Vehicle Fuel Taxes and Vehicle Fees be

Submitted to and Approved by the Electorate. Initiative Constitutional Amendment. **FAILED**

**Prop. 7** – Daylight saving time. **PASSED**

**Prop. 8** – Authorizes State Regulation of Kidney Dialysis Clinics. Limits Charges for Patient Care. Initiative Statute. **FAILED**

**Prop. 10** – Expands Local Governments' Authority to Enact Rent Control on Residential Property. Initiative Statute. **FAILED**

**Prop. 11** – Requires Private-Sector Emergency Ambulance Employees to Remain on Call During Work Breaks. Changes Other Conditions of Employment. Initiative Statute. **PASSED**

**Prop. 12** – Establishes New Standards for Confinement of Certain Farm Animals; Bans Sale of Certain Non-Complying Products. Initiative Statute. **PASSED**

Note that **Prop. 9**, which would have dealt with the division of California into three separate states, was removed from the ballot by the Supreme Court in mid-July.





## Convention *Wrap-up*



# 70<sup>TH</sup> Annual Convention & Reimbursement Conference



## CAA Celebrates 70 Years at the Annual Convention

**Ross Elliott** | CAA Executive Director

**F**ormed in 1948, the CAA has turned 70 years old, which makes 2018 the Annual Convention and Reimbursement Conference the 70<sup>th</sup> time it has been held. 177 attendees, representing about 80 companies, government agencies, and other entities, helped the CAA celebrate its 70th birthday.

This year's conference was held at Harvey's Resort & Casino, at Lake Tahoe, featuring stunning views, modernized facilities, gambling, and delicious food. The venue abuts the California/ Nevada border and is "in the middle of all the action" in the area.

Tuesday's kick-off festivities included the Raymond Lim/Jim McNeal Memorial Golf Tournament at the beautiful and challenging Edgewood Golf Course. A special pre-conference educational session was held for those interested in obtaining certification as an ambulance documentation specialist (CADS). These events were followed by an opening night reception at Hard Rock Cafe's outdoor patio; allowing friends and colleagues to reconnect.

The conference format included three tracks: Executive, Operations, and Reimbursement, which allowed attendees to select the topics of most value to them. Day one started with



**September 25-28, 2018 • Harvey's Lake Tahoe**

the key note address given by nationally renowned attorney and engaging speaker **Doug Wolfberg**.

Speakers from across the nation, representing the best and brightest in EMS, presented important and valuable information over the next two days. Attendees learned about the latest issues and trends and heard about the future of EMS.

**A.J. Heightman**, Editor-in-chief of JEMS was the keynote speaker for Day Two. He gave his perspective on the past, present, and future for ambulance services and EMS. A

fitting subject given the historic nature of this year's conference.

The President's Reception was a special event this year which included the presentation of several awards. **Alan McNany**, CEO at American Legion Ambulance Post 108 and president of CAA, assisted by **John Surface**, Hall Ambulance and **Jimmy Pierson**, Medic Ambulance presented membership awards to several companies recognizing their longtime service and membership in the CAA. These included:

Continued on page 18

# Convention *Wrap-up*

Continued from page 17

## — 20 Years —

**Mercy Medical Transportation, Inc.**  
**Trinity County Life Support**  
**Westside Ambulance Association**

## — 35 Years —

**Manteca District Ambulance**

## — 40 Years —

**Desert Ambulance Service**  
**American Ambulance**

## — 70 Years —

**Schaefer Ambulance Service, Inc.**

Further, McNany recognized outgoing member of the Board of Directors **James (Jimmy) McNeal, Jr.** for his service to the CAA. Although leaving the Board, McNeal remains chairman of the Education Committee and is still an integral part of the CAA leadership team.

**Jeff Nichols** of Grant Mercantile Agency was recognized as the 2018 CAA's Commercial Member of the Year, for his dedication and commitment to the Association. The President's Award of Excellence was bestowed upon **Todd Valeri**,

CEO of American Ambulance and the Vice President of CAA. Todd's boundless contributions of time, ideas, and resources to the CAA in many different capacities made him the perfect selection for this recognition.

In addition to the awards during the President's Reception, a special award was presented during lunch on Wednesday. The late **Harvey L. Hall** was given Emeritus Member recognition, posthumously, for his years of dedication and contributions. **Mrs. Lavonne Hall** was present and graciously accepted this recognition.

This was another successful year because of the attendees and the generous sponsors and exhibitors. We thank all of you.

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# Member Spotlight: Mercy Medical Transport



## **Michael Jones**

AlphaOne Ambulance Medical Services, Inc.

**A**lphaOne Ambulance Medical Services began operation in Sacramento, California on June 27<sup>th</sup>, 2011 with just three ambulances and less than thirty dedicated employees. Tom Arjil, President and CEO, has been in the ambulance business all his adult life, first as a Paramedic and supervisor, then moving into owning and operating his own companies. When he started AlphaOne, he had a vision to grow it into the premier provider of Emergency Medical Services (EMS) for the Older Adult Population in Sacramento

County. Tom knew that in order to successfully carry out his vision he needed to create a culture defined by a cohesive team attitude throughout the entire company.

AlphaOne prides itself on having a dedicated workforce with outstanding customer service and acknowledges that these are its biggest assets which set it apart from other Emergency Medical Service providers. Throughout the interview process potential new hires are evaluated with the primary goal of finding those

who have a natural ability to demonstrate respect, understanding and compassion for the populations which AlphaOne serves. Many hours during the orientation process are spent teaching techniques to improve customer service when providing patient care with a special focus on our core business, the older adult population. AlphaOne recognizes that this population has additional needs as well and has implemented training courses in memory impairment and Geriatric Education for EMS (GEMS) for all employees, allowing them to be more understanding and prepared to serve the core clientele of older adults in the best manner possible.

Prior to a new employee being cleared for field duty, Tom personally speaks with each employee individually, focusing heavily on AlphaOne's mission to provide the very best customer service possible with the expectation that each employee should always treat patients with the utmost respect and understanding, that nothing less than this is acceptable.

AlphaOne partners with many of the local EMT and Paramedic programs which affords them the opportunity to introduce



Continued on page 20

# Member Profile

Continued from page 19



AlphaOne's culture to many prospective employees. They are proud to say that many employees who are first introduced to the company in their EMT program ride along are then hired, progress through the different divisions, enter the AlphaOne sponsored paramedic program, perform their internship with AlphaOne and within two years of being hired are a working paramedic with AlphaOne. The inception of this paramedic scholarship program is one example AlphaOne has found great success in developing pathways for professional growth and creating dedicated employees.

AlphaOne believes that giving the employees the ability to have a voice and identify concerns or issues while respectfully bringing them to management helps to empower employees. AlphaOne has quarterly state of the company meetings and regularly survey's staff to measure professional satisfaction. Employee engagement is not only done through this, it's also done via community engagement. AlphaOne participates in a multitude of community events and charities such

as Adopt and Elder Foundation and Alzheimer's Association Walk in which employees are encouraged to participate.

On any given day AlphaOne provides education and hands on training to over 100 different contracted organizations such as Assisted Living Facilities, Skilled Nursing

Facilities and Hospice Agencies to name a few. There are over 20 different trainings offered including; First Aid, CPR, Fall Prevention and Dementia Management. These efforts ensure that our contracted partners stay compliant with ever changing and evolving regulations as well as help to create and maintain a solid working relationship.

AlphaOne has enjoyed great growth in its first seven plus years of operation which can be attributed to many things, but none of them bigger than the commitment to customer service by all of its dedicated employees. In the first full month of operation, AlphaOne responded to 238 medical emergencies. To date, AlphaOne is averaging 1200 emergency and 1800 non-emergency responses per month in Sacramento County, has grown to over 150 employees and operates an average of 30 vehicles daily to serve our great community.

AlphaOne Ambulance is proud to be a member of the California Ambulance Association (CAA) and encourages all EMS providers to participate in the many valuable activities put on by the CAA. AlphaOne Ambulance also would like to give a special thanks to being featuring in *Siren Magazine*. ✱







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# 2019-2020

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September 24-27, 2019	<b>2019 Annual Convention &amp; Reimbursement Conference</b>	Hyatt Regency, <i>San Diego, CA</i>
April 13-14, 2020	<b>2020 Stars of Life Celebration &amp; Legislative Summit</b>	Sheraton Grand, <i>Sacramento, CA</i>
September 22-25, 2020	<b>2020 Annual Convention &amp; Reimbursement Conference</b>	Harvey's Resort, <i>Lake Tahoe, NV</i>

Please visit the Events section on the CAA website – [www.the-caa.org](http://www.the-caa.org) – for continuous calendar updates.