

MAR - 4 2020

NM PUBLIC REGULATION COMMISSION
RECORDS MANAGEMENT BUREAU**NEW MEXICO PUBLIC REGULATION COMMISSION****RESOLUTION 3-4-2020****RESOLUTION ESTABLISHING NEW AMBULANCE ADVISORY COMMITTEE; REPEALING ANY PREVIOUS RESOLUTIONS REGARDING AMBULANCE ADVISORY COMMITTEES**

WHEREAS, various Ambulance Advisory Committees have been established and reestablished by Order and/or Resolution of the New Mexico Public Regulation Commission (hereinafter "Commission") in 1999, 2002, 2006, 2013, 2015 2016 and 2017 to serve as a forum for discussion of any matter involving the ambulance and medical rescue industry and to make recommendations to the Commission;

WHEREAS, the appointment process and other structural issues created certain impediments to proper functioning of previous Ambulance Advisory Committees;

WHEREAS, the Commission believes that the work of an Ambulance Advisory Committee continues to be relevant and useful to the Commission to serve as a forum for discussion of any matter involving the ambulance and medical rescue industry; to make the Commission aware of and to make recommendations about how to resolve complaints or concerns from EMS providers; and to make recommendations to the Commission about implementation of or needed changes to all Commission rules and state statutes involving ambulance regulation such as the Commission rule on Ambulance Services, 18.3.14 NMAC, and the portions of the Motor Carrier Act which are applicable to ambulances, 65-2A-1 *et seq.* NMSA 1978;

WHEREAS, the Commission believes that it is in the public's best interest to repeal all previous Resolutions on Ambulance Advisory Committees referred to above and in their place establish a new Ambulance Advisory Committee with a modified structure to more efficiently fulfill the committee's purpose;

WHEREAS, the Emergency Medical Services Act, 24-10B-4 (B) NMSA 1978, directs the Emergency Medical Services Bureau of the Department of Health (hereinafter "EMS Bureau") to provision "technical assistance to the Public Regulation Commission for further development and implementation of standards for certification of ambulance services, vehicles and equipment" and the Commission believes that the EMS Bureau should appoint two (2) members to the Ambulance Advisory Committee;

WHEREAS, the Commission believes that the experience of the membership of the New Mexico State Firefighters Association is invaluable and that the New Mexico State Firefighters Association should appoint one member to the Ambulance Advisory Committee;

WHEREAS, the Commission believes that the State Fire Marshall or their designee should serve as a member of the Ambulance Advisory Committee;

WHEREAS, the Commission believes that the Commission's Transportation Division Director or their designee should serve as a member of the Ambulance Advisory Committee as a non-voting member;

WHEREAS, the Commission believes that to represent the views of ambulance service providers, the Transportation Division Director, with Commission input, should appoint three (3) members representing certificated ambulance services, with at least one of these appointments representing a rural based certificated ambulance service and at least one of these appointments representing an urban based certificated ambulance service, to the Ambulance Advisory Committee;

WHEREAS, the Commission believes that to represent the views of the people of the State of New Mexico, the Transportation Division Director, with Commission input, should appoint two at large members to the Ambulance Advisory Committee;

WHEREAS, to ensure that the Ambulance Advisory Committee can function at all times, the Commission believes members should serve staggered two year terms with all members eligible for reappointment at the end of their term and that the Ambulance Advisory Committee should be allowed to meet and take action even if there are vacant membership positions on the Committee;

WHEREAS, the Commission believes that a Chairperson and Vice Chairperson should be elected from the membership to preside at all meetings of the Ambulance Advisory Committee, and that the Chair of the Ambulance Advisory Committee should have the right to appoint subcommittees if necessary;

NOW, THEREFORE, BE-IT RESOLVED, by the Commission that:

1. Any and all previous Commission Resolution establishing, reestablishing, appointing members or modifying an Ambulance Advisory Committee are hereby repealed.

2. There is established an Ambulance Advisory Committee which is comprised of ten (10) individuals who are each required to have knowledge of the Motor Carrier Act, the Ambulance Standards Act and the relevant rules of the Commission and who are appointed as listed below:

- a. Two members appointed by the EMS Bureau;
- b. One member appointed by the New Mexico State Firefighters Association;

- c. Three members appointed by the Commission's Transportation Division Director, with Commission input, who represent certificated ambulance services, with at least one of these appointments representing a rural based certificated ambulance service and at least one these appointments representing an urban based certificated ambulance service;
- d. Two at large members appointed by the Commission's Transportation Division Director, with Commission input;
- e. The State Fire Marshal shall serve as an ex officio member of the committee who is eligible to vote but ineligible to serve as the Chair or Vice-Chair; and
- f. The Commission's Transportation Division Director shall serve as ex officio member of the committee who is ineligible to vote or serve as the Chair or Vice-Chair.

3. Initial appointments will be made for one or two year terms at the discretion of the appointer with the goal of staggering the member's terms; after the initial appointments all members will serve two year terms.

4. When a vacancy on the committee is created at the end of a member's term or upon a member stepping down from the committee, the Transportation Division Director shall request the entity designated above to appoint a new member to that open position. If the position was appointed by the Transportation Division Director they shall make a new appointment with input from the Commissioners. Previously and currently appointed members are eligible to be reappointed for additional terms.

5. If there are any vacancies on the committee, the total number of members on the committee for the purposes of a quorum shall be determined to be the number of currently appointed members. A quorum of members of the committee shall be considered to be in effect when a majority of appointed voting members (with any vacant positions omitted from the count) are present. A majority of currently appointed voting members may hold official meetings, make official recommendations and take official actions.

6. The members of the committee shall elect a chair and vice-chair to preside at all meetings of the Ambulance Advisory Committee.

7. Every meeting of the Ambulance Advisory Committee is subject to the Open Meetings Act and as such all meeting shall be open to the public, an agenda for all meetings shall be posted on the Commission's website at least seventy-two (72) hours prior to the meeting and minutes shall be taken and preserved at all meetings.

8. All records of the Ambulance Advisory Committee are subject to the Inspection of Public Records Act.

9. Staff of the Transportation Division shall provide assistance to the Ambulance Advisory Committee at all meetings, shall maintain all records for committee, and shall provide any other support necessary for committee compliance with the Open Meetings Act and Inspection of Public Records Act.

10. Robert's Rules of Order shall govern all meetings of the Ambulance Advisory Committee.

11. The Chair of the Ambulance Advisory Committee has the right to appoint subcommittees as needed.

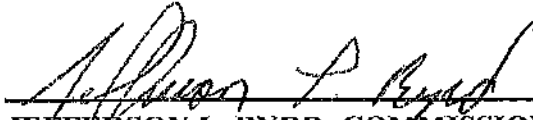
12. The Ambulance Advisory Committee shall, unless there are extraordinary circumstances, meet at least twice per year with preference given to dates in conjunction with statewide EMS conferences.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 4th
day of March, 2020.

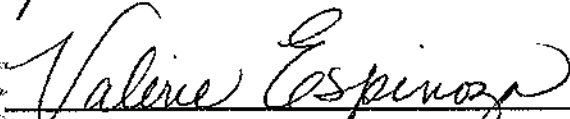
NEW MEXICO PUBLIC REGULATION COMMISSION



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