



October 11, 2016

Tom Mitchell  
Chief, North Carolina Office of Emergency Medical Services  
2707 Mail Service Center  
Raleigh, NC 27699-2707

Dear Chief Mitchell:

On behalf of Med Trans Corporation (Med-Trans), we appreciate the opportunity to comment on NCOEMS proposed rule .0204. Med Trans is a leading air medical provider focused on establishing partnerships with hospitals and EMS agencies throughout more than 70 bases across 25 states. We currently have seven helicopter bases located in neighboring States along the North Carolina border. However, due to North Carolina EMS statutes and regulations, we have been unable to effectively serve North Carolina citizens when we are the closest air medical provider.

We recently reached a settlement agreement that will allow Med Trans to receive and maintain a NCOEMS license. Our lawsuit, which resulted in the settlement agreement, was filed to ensure North Carolina citizens have access to the closest appropriate air medical services. But, the settlement agreement only gives them access to our services. The terms of the settlement agreement should be incorporated into the NCOEMS rules, to maximize access and so all providers have a level playing field. Accordingly, as required by the Court order in our lawsuit, the following items should be permanently removed from the EMS regulations:

- Approval of county government officials and the endorsement requirement set forth in the application form for a Specialty Care Transport Program : N.C. Gen. Stat. §§ 131E-155(6b), 131E-155.1(a), and 10A N.C.A.C. 13P.0204(a)(1), 13P.0204(a)(4), 13P.0402(3);
- Defining service area: 10A N.C.A.C. 13P .0301(a)(1) and 10A N.C.A.C. 13P .0209(6);
- Providing 24 hour per day service: 10A N.C.A.C. 13P .0301(a)(3);
- Conducting aviation safety inspections: 10A N.C.A.C. 13P .0301(a)(3);
- Imposing or enforcing state statutes/regulations related to aviation operation and safety, including requiring federally-licensed pilots to provide backup medical care for EMS personnel: N.C. Gen. Stat. § 131E-158(a)(2);
- Requiring flight crews to be trained in in-flight emergencies specific to aircraft and aircraft safety: 10A N.C.A.C. 13P .0302(a)(1)(C)-(D);
- Requiring FW to be affiliated with a hospital: 10A N.C.A.C. 13P.0204(b)
- Requiring RW to be affiliated with Level I or II Trauma Center: 10A N.C.A.C. 13P.0204(c)

Sincerely,

A handwritten signature in blue ink, appearing to read "Henry O. Ward".

Henry O. Ward  
Regional Operations Director  
843-991-0411  
Henry.ward@med-trans.net