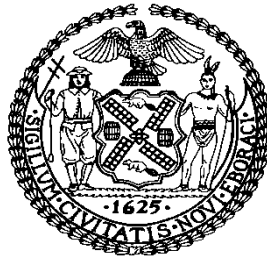


Staff:

Committee on Fire & Criminal Justice Services

Robert Calandra, Counsel

William Hongach, Policy Analyst



THE COUNCIL

Committee Report of the Governmental Affairs Division

Robert Newman, Legislative Director

Alix Pustilnik, Deputy Director, Governmental Affairs

COMMITTEE ON FIRE & CRIMINAL JUSTICE SERVICES

Hon. Elizabeth S. Crowley, Chair

June 21, 2013

INT. NO. 143

By Council Members Fidler, Dromm, Ferreras, Gentile, Gonzalez, James, Koppell, Nelson, Reyna, Rodriguez, Williams, Crowley, Weprin, Halloran and Oddo

TITLE:

A Local Law to amend the administrative code of the city of New York, in relation to reporting response times for firefighting units and ambulances to fire and medical emergencies.

ADMINISTRATIVE CODE:

Amends Chapter one of title 15 by adding a new section 15-129.

INT. NO. 189

By Council Members Fidler, Comrie, Gentile, James, Koppell, Koslowitz, Nelson, Williams, Rodriguez, Mark-Viverito, Dromm, Van Bramer, Crowley, Weprin, Halloran and Oddo

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of firefighting response times.

ADMINISTRATIVE CODE: Amends Chapter one of title 15 by adding a new section 15-129

INT. NO. 265 By Council Members Fidler, Barron, Brewer, Chin, Dickens, Foster, Gentile, Gonzalez, James, Koppell, Nelson, Palma, Williams, Mark-Viverito, Crowley, Weprin, Halloran and Oddo

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of emergency medical service response times.

ADMINISTRATIVE CODE: Amends Chapter one of title 15 by adding a new section 15-129

I. INTRODUCTION

On June 21, 2013, the Committee on Fire and Criminal Justice Services, chaired by Elizabeth S. Crowley, will hold a hearing on three bills: (i) Int. No. 143, a Local Law to amend the administrative code of the city of New York, in relation to reporting response times for firefighting units and ambulances to fire and medical emergencies; (ii) Int. No. 189, a Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of firefighting response times; and (iii) Int. No. 265, a Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of emergency medical service response times. Those expected to testify on these bills include representatives from the New York City Fire Department (“FDNY”), as well as stakeholders, advocates, and other interested parties.

II. BACKGROUND

Fire and Emergency Medical Service (“EMS”) response times traditionally consist of two main periods of time: dispatch processing time and travel time. The moment at which “response time” begins to be calculated is not when a 9-1-1 operator answers the telephone. Rather, the calculation begins when the FDNY receives the information regarding the emergency from New York City Police Department (“NYPD”) 9-1-1 call takers or the public. Dispatch processing time is the amount of time between this receipt of information, by FDNY/EMS dispatchers and acknowledgment by a fire company or ambulance of the transmittal of information to them. Travel time begins as soon as this acknowledgement is sent by a fire company or ambulance back to dispatch. A fire company or ambulance is considered to have arrived at a fire or medical emergency when it arrives at the address of an emergency or fire, not when it arrives at the specific location of the fire or individual needing assistance. Firefighters and Emergency Medical personnel indicate their arrival on Mobile Data Terminals, or may call dispatchers if the terminal is inoperative.

FDNY/EMS Response Times to Fire and Medical Emergencies

Presently, as mandated by Section 12 of the New York City Charter, the Mayor reports to the public and the City Council twice yearly on the performance of municipal agencies in delivering services. In the 2012 Mayor’s Management Report, the FDNY/EMS reported their response times to fire and medical emergencies in the following categories: (i) average response to structural fires by fire units, borough and Citywide; (ii) average response time to structural fires and medical emergencies by fire units; (iii) average response time to life-threatening medical emergencies by ambulance units; (iv) average response time to life-threatening medical emergencies by fire units; (v) combined response time to life-threatening medical emergencies

by ambulance and fire units; and (vi) response time of less than 10 minutes to Advanced Life Support medical emergencies by Advanced Life Support Ambulances. FDNY/EMS also reports this information on the FDNY website, disaggregated by both borough and Citywide incidents on a monthly and yearly basis.

These categories measure the duration of time between the receipt of an emergency call by FDNY/EMS dispatchers and the arrival of the FDNY/EMS unit at the street address of a suspected fire or medical emergency. Critics of this methodology contend that it presents an incomplete picture of the City's fire and emergency medical service because: (i) it does not include the NYPD call-taker time; (ii) and there may be considerable delay between arrival at a building and arrival at a particular apartment or floor where a fire or medical emergency may be occurring, particularly in high-rise buildings. Critics also contend that utilizing this data in determining how to allocate resources is a mistake because those resources might be allocated differently if the additional NYPD call taker time and the time it takes to reach a fire or a patient were considered.

III. ANALYSIS OF INT. NO. 143

Int. No. 143 would mandate FDNY/EMS report response times for the categories they reported in the 2012 Mayor's Management Report. Int. No. 143 would require FDNY/EMS to report these response times on the FDNY website, disaggregated by both borough and Citywide incidents on a monthly and yearly basis while adding a requirement that the calculation of response time commence when the call is received by the 9-1-1 police call-taker. Additionally, Int. No. 143 would require the reporting of the percentage of time Advanced Life Support ambulances respond to Advanced Life Support medical emergencies in less than six minutes using the "new" calculation for response time.

Section one of Int. No. 143 would require the FDNY to track the duration of time between a report to a 9-1-1 operator of an incident to which fire units or ambulances are required to respond and the time when the first fire unit, which shall include ladders and engines only, or the first ambulance unit arrives on scene in the following categories: (i) average response time to structural fires; (ii) average response time to life threatening medical emergencies by ambulance units; (iii) average response time to life threatening medical emergencies by fire units; (iv) combined average response time to life threatening medical emergencies by ambulance and fire units, and (v) percentage of response time of less than 6 minutes and less than 10 minutes to Advanced Life Support medical emergencies by Advanced Life Support ambulances.

Int. No. 143 would also require the FDNY to submit a monthly and yearly report to the Council and to the Mayor detailing the response times for each of the above-referenced categories, disaggregated by community board, by borough and Citywide.

Section two of Int. No. 143 states the bill will take effect 90 days after enactment into law.

IV. ANALYSIS OF INT. NO. 189

Presently, the fire response time begins as detailed above and stops when any fire apparatus reaches the address of an incident, including, for instance, a Battalion Chief's car. However, fire protocols call for specific apparatus to respond to each type of incident. Critics contend that: (i) until the necessary apparatus is in place the required response is not complete; and (ii) the FDNY should be tracking and reporting when each component actually arrives. Additionally, such critics believe the response time clock should not stop until personnel arrives at the actual incident, rather than at the address of the incident, and that if water is necessary the time water is applied to the fire should be included in the response time.

Section one of Int. No. 189 would require the FDNY to modify how it calculates and reports response times. Under the bill, the FDNY would measure the amount of time between receipt of a call to 9-1-1 and the arrival of the following firefighter units: (i) first responding firefighting unit; (ii) first responding engine company; (iii) first responding ladder company; and (iv) first complete contingent, consisting of a ladder company and an engine company. Whenever it is necessary to apply water to a fire, Int. No. 189 requires the FDNY to track the amount of time between receipt of the 9-1-1 call and application of water.

The bill defines “arrival” to mean arrival at the door of a building where a fire is suspected. However, if a fire is suspected at a particular apartment or floor of a building, “arrival” means arrival at that particular apartment or floor.

Int. No. 189 requires the Commissioner to submit a quarterly report to the Council, detailing the average response times and range in response times for the measures in the bill, for the City, for each borough, and for each city block.

Section two of Int. No. 189 states the bill will take effect 90 days after enactment into law.

V. ANALYSIS OF INT. NO. 265

The time that it takes for fire and emergency medical service personnel to reach a patient in a life-threatening medical emergency is critical. It was recently reported that according to the American Heart Association:¹ (i) approximately 300,000 people a year suffer cardiac arrest in the United States outside of hospitals; (ii) when someone experiences cardiac arrest, brain death and permanent death start to occur in just 4 to 6 minutes; (iii) cardiac arrest can be reversed in most victims if it is treated with immediate cardiopulmonary resuscitation (“CPR”) and an electric

¹ <http://www.foxnews.com/story/0,2933,529112,00.html>

shock to the heart within 7 to 10 minutes; (iv) a victim's chances of survival are reduced by 7-10 percent with every minute that passes without treatment; (v) few resuscitation attempts succeed after 10 minutes have elapsed; (vi) it is estimated that more than 92 percent of cardiac arrest victims do not survive to be discharged from a hospital; and (vii) in cities where defibrillation is provided within 5 to 7 minutes, the survival rate from cardiac arrest is as high as 45 percent.

Therefore, critics argue that it is critical to calculate the response time beginning of the time a call is received by 9-1-1 call takers and ending at the time first responders reach the actual patient or event. Such a calculation, they contend, is required in order to accurately measure response time when evaluating the effectiveness of emergency response to life-threatening emergencies.

Int. No. 265 amends the Administrative Code to require FDNY/EMS to track the duration of time between a report to a 9-1-1 operator that emergency medical service is deemed necessary and the arrival of the first responding emergency medical service personnel at the individual requiring assistance, rather than the address of the incident. The bill also requires the Commissioner to submit a quarterly report to the City Council detailing the average response times and range in response times for medical emergencies: (i) for the City; (ii) for each borough; and (iii) for each city block.

Section two of Int. No. 265 states the bill will take effect 90 days after enactment into law.

Int. No. 143

By Council Members Fidler, Dromm, Ferreras, Gentile, Gonzalez, James, Koppell, Nelson, Reyna, Rodriguez, Williams, Crowley, Weprin, Halloran and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to reporting response times for firefighting units and ambulances to fire and medical emergencies.

Be it enacted by the Council as follows:

Section 1. The Fire Department currently tracks and reports on the duration of time between when the Department receives an emergency call or electronic notification and when a firefighting unit or ambulance arrives at the street address of an incident. However, it is important to determine not only how long it takes a firefighting unit or ambulance to arrive at an incident once the Department is alerted to the emergency but also how long it takes for those vehicles to arrive once a 911 call is received by the City that requires an emergency response. The failure of the City to report the time between the receipt of an emergency call and the transmittal of that call to the appropriate first responders gives a false picture of the City's collective ability to respond to emergencies. In determining how to deploy limited resources it is imperative that the people making those decisions have the most accurate data available. The Council finds that requiring the Fire Department to include the 911 dispatch time in their response time data will permit the City to better plan for and respond to fires and medical emergencies.

§2. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new section 15-129 to read as follows:

§ 15-129 Reporting of Fire Department response times. a. The department shall track the duration of time between a report to a 911 operator to which fire units or ambulances are required to respond and the time when the first fire unit, which shall include ladders and engines

only, or the first ambulance unit, arrives on scene in the following categories:

- (1) Average response time to structural fires;
- (2) Average response time to life threatening medical emergencies by ambulance units;
- (3) Average response time to life threatening medical emergencies by fire units;
- (4) Combined average response time to life threatening medical emergencies by ambulance and fire units;
- (5) Percentage of response time of less than 6 minutes and less than 10 minutes to Advanced Life Support medical emergencies by Advanced Life Support ambulances.

b. The department shall submit a monthly and yearly report to the council and to the mayor that it shall also post on its website, detailing the response times for each category required herein, disaggregated by community board, by borough and citywide.

§3. This local law shall take effect 90 days after enactment.

LS # 609
RCC
03/30/10

By Council Members Fidler, Comrie, Gentile, James, Koppell, Koslowitz, Nelson, Williams, Rodriguez, Mark-Viverito, Dromm, Van Bramer, Crowley, Weprin, Halloran and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of firefighting response times.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new section 15-129 to read as follows:

§ 15-129 Tracking of firefighting response times. a. The department shall track the duration of time between a report to a 911 operator where firefighting response is deemed necessary and arrival at the suspected fire of the following:

- (1) First responding firefighting unit;
- (2) First responding engine company;
- (3) First responding ladder company; and
- (4) First complete contingent, consisting of a ladder company and an engine company.

For the purposes of this section only, “arrival” shall mean arrival at the door of the building where a fire is suspected; provided, however, that if a fire is suspected at a particular apartment or floor of a building, “arrival” shall mean arrival at the door of such apartment or arrival at such floor.

b. For any incident where the fire department applies water to a fire, the department shall track the duration of time between the report to the 911 operator and application of water to the fire.

c. The commissioner shall submit a quarterly report to the council, detailing the average response times and range in response times for each measure required above, for the city and for

borough.

§2. This local law shall take effect 90 days after enactment.

LS# 884

RCC

04/12/10

By Council Members Fidler, Barron, Brewer, Chin, Dickens, Foster, Gentile, Gonzalez, James, Koppell, Nelson, Palma, Williams, Mark-Viverito, Crowley, Weprin, Halloran and Oddo

A Local Law to amend the administrative code of the city of New York, in relation to comprehensive tracking of emergency medical service response times.

Be it enacted by the Council as follows:

Section 1. The Fire Department currently tracks and reports on the duration of time between when an emergency call is received and when emergency medical service arrives at the street address of a suspected medical emergency. This data, however, presents an incomplete picture of the city's emergency medical service because there may be considerable delay between arrival at a building and arrival at a particular apartment or floor where a medical emergency may be occurring, particularly in high-rise buildings.

The Council finds that more comprehensive tracking of emergency medical service response times will permit the City to better plan for and respond to medical emergencies. Accordingly, the Council declares that it is reasonable and necessary to require the tracking of the response times to the actual location of medical emergencies.

§2. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new section 15-129 to read as follows:

§15-129 Tracking of emergency medical service response times. The department shall track the duration of time between a request to a 911 operator for an emergency medical response and the arrival of the first responding emergency medical service personnel at the required location. For purposes of this section, required location shall mean the actual location of the individual in need of emergency medical assistance. The commissioner shall submit a quarterly report to the council, detailing the average response times for such medical

emergencies, for the city and for each borough.

§3. This local law shall take effect 90 days after enactment.

RCC

5/17/10

LS# 932