



## BOARD OF COMMISSIONERS

# AGENDA REQUEST & STAFF REPORT

**MEETING DATE:** April 12, 2023

**SUBJECT:** An Order Partially Staying the Corrective Action Previously Imposed Against the La Pine Rural Fire Protection District in Order No. 2023-006

**RECOMMENDED MOTION:**

Move approval of Order No. 2023-013, Partially Staying the Corrective Action Previously Imposed Against the La Pine Rural Fire Protection District in Order No. 2023-006.

**BACKGROUND AND POLICY IMPLICATIONS:**

On January 4, 2023 in Order No. 2023-006, the Board ordered the La Pine Rural Fire Protection District to cure violations of DCC 8.30.070 and Section 8.4 of the County ASA Plan found after investigation by the ASA Advisory Committee, namely that the District (1) discouraged patients from utilizing the District for emergency transports; and (2) charged fees directly to St. Charles and LCHC pursuant to District Ordinance #2019-03 and District Policy #02-03, rather than to patients themselves or their insurers, and that such fees were invalid under Oregon law. Since the District currently is in litigation with St. Charles and La Pine Community Health Clinic, and the issue of whether the District's aforesaid conduct violated Oregon law, including ORS 478.410, staff recommends staying Order 2023-006, Section 2, paragraph 2, regarding the fee portion, until notification is received that the Court has made a determination on this issue in the pending litigation.

**BUDGET IMPACTS:**

None

**ATTENDANCE:**

Chris Bell, Legal

Tom Kuhn, ASA Plan Administrator