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13 Attorneys for Applicant  
14 RBR Management, LLC  
15 dba Community Ambulance

16 **IN THE OFFICE OF ADMINSTRATIVE HEARINGS**

17 In the Matter of:

18 RBR Management, LLC dba Community  
19 Ambulance,

20 Applicant.

Docket No. 2017-EMS-0104-DHS  
(EMS No. 0283)

**APPLICANT'S  
FINAL WITNESS AND  
EXHIBIT LIST**

(Assigned to the Honorable  
Tammy L. Eigenheer)

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22  
23 RBR Management LLC, dba Community Ambulance (“Applicant” or  
24 “Community Ambulance”) submits its Final Witness and Exhibits List,  
25 identifying the witnesses it may call and exhibits it may use at the Certificate of  
26 Necessity (“CON”) hearing in this matter. Community Ambulance reserves the  
27 right to amend, modify, supplement, and/or withdraw the information provided  
28 through this filing, particularly in light of the outstanding subpoena requests and

1 objections which have not yet been ruled upon. In addition, hearing exhibits 230-  
2 233, which are documents produced by Dignity Health on today's date, have been  
3 withheld from publication as they may contain Private Health Information, and  
4 will be disclosed after consultation with counsel for Dignity Health. New or  
5 supplemental information below is in bold face type and deleted information has  
6 been stricken through.

7 **A. WITNESSES**

8 **1. Jeffrey O'Malley, Vice President, Partnership Integration in**  
9 **Arizona, Dignity Health, C/O Hendricks Murphy, PLLC and/or the**  
10 **Meyerson Law Firm, PLC**

11 Mr. O'Malley may testify about his educational background, work  
12 experience, and current position with Dignity Health as Vice President of  
13 Partnership Integration in Arizona. Mr. O'Malley may also offer testimony  
14 regarding Dignity Health's Hello *humankindness* philosophy and the  
15 implementation of that philosophy through its joint venture partnerships. Mr.  
16 O'Malley may testify about Dignity Health's experiences with interfacility  
17 ambulance transportation and the providers of ambulance services in the  
18 proposed service area (Maricopa County) and surrounding areas, Dignity  
19 Health's need for an additional provider of interfacility ambulance transports in  
20 Maricopa County, and Dignity Health's efforts to develop an integrated  
21 ambulance service to provide transports for its patients. Mr. O'Malley may testify  
22 concerning Dignity Health's integrated delivery network and the use of  
23 partnerships and collaboration. Mr. O'Malley may testify concerning Dignity  
24 Health's 50.1% membership interest and involvement in Community Ambulance.  
25 Mr. O'Malley may also offer testimony about Dignity Health's patient  
26 demographics within the proposed service area, the geographic distribution of  
27 Dignity Health **patients, Dignity Health** owned and associated ~~patients and~~  
28 facilities in Maricopa County, and Dignity Health's approximate needs for non-

1 emergency interfacility transports within the proposed service area. Mr.  
2 O'Malley may also offer testimony about Dignity Health's efforts to develop  
3 relationships with CON holders in Maricopa County to provide interfacility  
4 transports for the Dignity Health population, Dignity Health's negotiation of and  
5 entry into a Customer Agreement with AMR of Maricopa, LLC (effective  
6 November 1, 2015), and a 2017 amendment to the Customer Agreement to  
7 include AMR Holdco, Inc. and its subsidiaries and affiliates in the contractual  
8 service area, AMR's termination of the Customer Agreement in 2017, and  
9 litigation that ensued arising out of Dignity Health's assertion that AMR  
10 breached the Customer Agreement by intervening in the Community Ambulance  
11 CON hearing. Mr. O'Malley may testify regarding **insufficient** ~~substandard~~  
12 interfacility transport performance Dignity Health facilities have experienced by  
13 other CON holders in the proposed service area, and meetings with  
14 representatives of Dignity Health hospitals, urgent care centers, and other  
15 associated facilities to discuss optimization of Dignity Health patient transports.

16 **2. Rob Richardson, Chief Executive Officer of Applicant**  
17 **Community Ambulance, C/O Hendricks Murphy, PLLC and/or the**  
18 **Meyerson Law Firm, PLC**

19 Mr. Richardson may testify about his educational background and  
20 work experience, including his position as President and CEO of Community  
21 Ambulance. Mr. Richardson may offer testimony regarding the contents of  
22 Community Ambulance's CON Application, which he signed, and the ownership  
23 and management structure of Community Ambulance. Mr. Richardson may offer  
24 testimony about the development of Community Ambulance's partnership with  
25 Dignity Health in Arizona following its successful partnership in providing  
26 interfacility transports to Dignity Health's patient population in Clark County,  
27 Nevada. Mr. Richardson may testify about Community Ambulance's adherence  
28 to and implementation of Dignity Health's Hello *humankindness* philosophy as

1 well as other similar practices. Mr. Richardson may also offer testimony about  
2 Community Ambulance's interfacility transport services agreement with Dignity  
3 Health, Community Ambulance's personnel (including the number and types of  
4 personnel, hiring, compensation and benefits, qualifications, scheduling,  
5 training, and working conditions), Community Ambulance's equipment and  
6 ambulances (including communications equipment, onboard technology, and  
7 other equipment onboard each ambulance complimentary to Dignity Health's  
8 system), Community Ambulance's planned integration into Dignity Health's  
9 electronic medical records system to increase efficiencies and improve patient  
10 experiences, which can impact outcomes, and Community Ambulance's  
11 communication and operation plans for the proposed service in Maricopa County.  
12 Mr. Richardson may offer testimony regarding the reasons Community  
13 Ambulance is fit and proper to provide the proposed interfacility services  
14 contemplated by its application, Community Ambulance's fiscal competence,  
15 resources, financial viability, and ability to expand its resources to address  
16 population growth in the Dignity Health system in Maricopa County, as well as  
17 Community Ambulance's plan to ensure interfacility transport service will be  
18 maintained and improved for remote or rural Maricopa County communities. Mr.  
19 Richardson may also testify about Community Ambulance's compliance with the  
20 factors set forth in the 2017 ADHS Guidance Document, GD-099-PHS-EMS:  
21 Certificates of Necessity for Ambulance Service.

22 **3. Linda Hunt, President and Dignity Health, Senior Vice**  
23 **President of Operations, Arizona, C/O Hendricks Murphy, PLLC and/or**  
24 **the Meyerson Law Firm**

25 Ms. Hunt may offer testimony about her educational background,  
26 nursing career, and other work experience – particularly her role as President of  
27 St. Joseph's Hospital and Medical Center, and as the current Dignity Health,  
28 Senior Vice President of Operations, Arizona. Ms. Hunt may testify about Dignity

1 Health's culture, including the Hello *humankindness* philosophy and the effects of  
2 this philosophy on patient experience and patient care. Ms. Hunt may also offer  
3 testimony about Dignity Health's experiences with interfacility ambulance  
4 transportation, and the providers of ambulance services in the proposed service  
5 area (Maricopa County) and surrounding areas. Ms. Hunt may testify about  
6 throughput issues in the Dignity Health systems, and the effects interfacility  
7 transport delays can have on efficient hospital operations, as well as patient care,  
8 outcomes, and satisfaction. Ms. Hunt may offer testimony about Dignity Health's  
9 desire for an integrated interfacility ambulance service to better serve Dignity  
10 Health's patient population.

11 **4. W. Michael Evans, CPA, Health Care Services Consultant,**  
12 **8437 E. Mulberry Street, Scottsdale, Arizona 85251, (480) 941-0994**

13 Mr. Evans may offer testimony with respect to his educational  
14 background, employment and consulting experience in the ambulance industry.  
15 Mr. Evans may also offer testimony about his experience in preparing Ambulance  
16 Revenue and Cost Reports ("ARCR") and assessing the financial viability of  
17 companies applying for CONs in Arizona. Mr. Evans may testify about the  
18 proposed operating model for the CON, the documents and assumptions used to  
19 prepare Community Ambulance's ARCR, and the financial analysis completed by  
20 the Arizona Department of Health Service's ("ADHS") rate analyst. Mr. Evans  
21 may also offer testimony concerning the potential financial impact on other CON  
22 holders in the proposed service area.

23 **5. Ralph Vassallo, Expert in EMS Billing Services, 1029 E. Palo**  
24 **Verde Drive, Phoenix, Arizona 85014, (602) 758-1513, rjvjr@aol.com.**

25 Mr. Vassallo may testify about his educational background and  
26 work experience. Mr. Vassallo may also testify about the history of ambulance  
27 billing services in Maricopa County, the billing collection system to be used by  
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1 Community Ambulance, and the historical collection rates and payor mix for the  
2 proposed service area.

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4 **6. Robb Beery, Owner RimGIS, 3350 S. Justin St. Flagstaff, Arizona 86005, (928) 595-0442, rbeery@ringis.com.**

5 Mr. Beery may testify about his educational background and work  
6 experience, the map exhibits submitted by Applicant, the assumptions utilized in  
7 creating those maps, and the accuracy of the distances and drive times identified  
8 on the maps.

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10 **7. Brandon Hestand, RN, BSN, Paramedic Liaison, Chandler Regional Medical Center/Mercy Gilbert Medical Center, C/O Hendricks Murphy, PLLC and/or the Meyerson Law Firm, PLC.**

11 Mr. Hestand may testify about his educational background, work  
12 experience as a registered nurse, and his current position with Dignity Health as  
13 a Paramedic Liaison for Chandler Regional Medical Center (“CRMC”) and Mercy  
14 Gilbert Medical Center (“MGMC”), through which he is responsible for developing  
15 and maintaining relationships with private ambulance providers, including  
16 representatives of Intervenors, air ambulance providers, and various fire  
17 departments on behalf of Dignity Health. Mr. Hestand may testify about his  
18 participation in a monthly East Valley agency meeting that includes private  
19 ambulance leadership, including representatives from Intervenors in this matter.  
20 Mr. Hestand may further testify about the procedure for initiating interfacility  
21 transports for Dignity Health patients from CRMC and MGMC; throughput  
22 issues and negative patient experiences at CRMC and MGMC caused by  
23 interfacility ambulance transport delays, and inconsistencies in compatibility of  
24 equipment between Dignity Health facilities and current private ambulance  
25 providers. Mr. Hestand may also offer testimony about the potential benefits to  
26 patient care and welfare in having an integrated ambulance service, including  
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1 equipment and electronic medical record integration, and ambulance crews  
2 trained in the Hello Humankindness philosophy.

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4 **8. Delores Kells, RN, BSN, MBA/HCM, Director for Dignity**  
5 **Health Urgent Care Centers, Gilbert, Queen Creek, Ahwatukee &**  
6 **Maricopa, C/O Hendricks Murphy, PLLC and/or the Meyerson Law Firm,**  
7 **PLC.**

8 Ms. Kells may testify about her educational background and work  
9 experience, including her current role as the director for Dignity Health Urgent  
10 Care Centers located in Queen Creek, Gilbert, Ahwatukee, and Maricopa (the  
11 “Urgent Care Centers”). Ms. Kells may testify about her oversight and  
12 involvement in interfacility ambulance transport issues for the Urgent Care  
13 Centers, including delays the Urgent Care Centers experience in scheduling  
14 transports and in arrivals times of ambulances. Ms. Kells may offer testimony  
15 about the necessity of an additional provider of interfacility transports to  
16 efficiently move patients from the Urgent Care Centers to facilities with higher  
17 levels of care. Ms. Kells may also testify about her involvement in weekly  
18 scheduled calls with representatives of AMR (the primary ambulance provider of  
19 interfacility transports for the Urgent Care Centers) to discuss issues the Urgent  
20 Care Centers experience with AMR’s interfacility transport service. Ms. Kells  
21 may also offer testimony about throughput issues at the Urgent Care Centers,  
22 and instances of Dignity Health patients leaving Urgent Care Centers against  
23 medical advice to drive themselves to facilities with higher levels of care due to  
24 delayed interfacility transports.

25 ~~**9. Paul McHale MD, Emergency Medicine Physician,**~~  
26 ~~**Emergency Department Physician, Chandler Emergency Medical**~~  
27 ~~**Group, PLC. (DBA Premier Emergency Medical Specialists), Chandler,**~~  
28 ~~**Arizona, C/O Hendricks Murphy, PLLC and/or the Meyerson Law Firm,**~~  
~~**PLC.**~~

1           ~~Dr. McHale is an emergency medicine physician who may testify~~  
2 ~~about his background and experience, including his work as an emergency~~  
3 ~~medicine physician in the CRMC and MGMC Emergency Departments as well~~  
4 ~~has his work as Chairman of Dignity Health's East Valley Community Board.~~  
5 ~~Dr. McHale may offer testimony concerning his interactions with hospital staff to~~  
6 ~~initiate and oversee interfacility transports of critical care and stable patients~~  
7 ~~from CRMC and MGMC to other facilities and hospitals within the Dignity~~  
8 ~~Health system in the proposed service area. Dr. McHale may also testify about~~  
9 ~~the effects that interfacility transport delays have on patient care and outcomes,~~  
10 ~~and throughput bottlenecking issues that cause patient holds on a regular basis~~  
11 ~~in the CRMC and MGMC Emergency Departments.~~

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13           **9. Mark Burdick, former Fire Chief of Glendale, Arizona,**  
14 **currently Strategic Initiatives Director, Arizona Fire & Medical**  
15 **Authority**

16           Mr. Burdick may testify about his experience and background,  
17 including his time as the Fire Chief for the City of Glendale. Mr. Burdick may  
18 also testify about throughput bottlenecking issues at hospital facilities and the  
19 need for an additional interfacility transport provider to supplement the existing  
20 EMS system.

21           **10. Aaron Sams, Rates Analyst with Arizona Department of**  
22 **Health Services**

23           Mr. Sams may testify about his background and experience, the  
24 rates, mileage reimbursement and financial analysis set forth in his Findings  
25 Letters dated January 10, 2017 and May 3, 2017, and the relevance and accuracy  
26 of the assumptions used to generate the Findings Letter.



1           **11. Dr. David Argue, Corporate Vice President and Principal,**  
2 **Economists Incorporated, 2121 K. Street, NW, Suite 1100, Washington,**  
3 **DC 20037, (202) 833-5265, argue.d@ei.com**

4           Dr. Argue is an economist with expertise in the areas of healthcare  
5 economics and competition in the healthcare industry. Dr. Argue may testify  
6 with respect to his expert opinions concerning the benefits of competition in the  
7 provision of ambulance services to the patient population of Maricopa County,  
8 and more specifically in terms of improvements in the quality of care for that  
9 population. Dr. Argue may testify that where customers have a choice of  
10 ambulance providers, private providers tend to provide higher quality of care and  
11 service. Dr. Argue may testify about the benefits granting a CON to Community  
12 Ambulance could provide to Maricopa County and its residents. Those benefits  
13 include increased quality of service and a reduction in risk in having just a few  
14 available private ambulance providers.

15           **12. Brian Rogers, Chief Operating Officer of Applicant**  
16 **Community Ambulance, C/O Hendricks Murphy, PLLC**  
17 **and/or the Meyerson Law Firm, PLC.**

18           **Mr. Rogers may testify about his educational background,**  
19 **qualifications, and work history and experience in emergency medical**  
20 **services, including his management and leadership roles in ambulance**  
21 **companies, including Medic West Ambulance, an AMR company located**  
22 **in Clark County, Nevada, and his current role as Chief Operating Officer**  
23 **of Community Ambulance. Mr. Rogers may offer testimony regarding**  
24 **Community Ambulance's formation and partnership in providing**  
25 **interfacility transports to Dignity Health's patient population in Clark**  
26 **County. Mr. Rogers may also offer testimony about Community**  
27 **Ambulance's operations in Nevada including Community Ambulance's**  
28 **system status management, dispatch, personnel (including the number**

1 and types of personnel, hiring, compensation and benefits,  
2 qualifications, scheduling, training, and working conditions), and  
3 Community Ambulance's equipment and ambulances (including  
4 communications equipment, onboard technology, and other equipment  
5 onboard each ambulance complimentary to Dignity Health's system).  
6 Mr. Rogers may also testify about Community Ambulance's operation  
7 plans for Dignity Health's patient population in the proposed service  
8 area of Maricopa County based on the geographic distribution of the  
9 Dignity Health facilities and affiliated facilities and arrival time  
10 compliance, as well as Community Ambulance's plan for interfacility  
11 transport service for remote or rural Maricopa County communities.  
12 Mr. Rogers may also offer testimony regarding the reasons Community  
13 Ambulance is fit and proper to provide the proposed interfacility  
14 services contemplated by its application, including his operational and  
15 leadership roles in ambulance companies, his experience as a trainer,  
16 teacher, and instructor of emergency medical services, as well as  
17 Community Ambulance's fiscal competence, resources, financial  
18 viability, and ability to expand its resources to address population  
19 growth in the Dignity Health system in Maricopa County.

20           13. Rod Davis, current President/CEO Nevatah Consulting LLC,  
21           former Senior Vice President of Operations Nevada for  
22           Dignity Health, c/o Hendricks Murphy, PLLC and/or the  
23           Meyerson Law Firm, PLC

24           Rod Davis may testify about his education, background, and  
25           experience, including his work as the Senior Vice President of  
26           Operations in Nevada for Dignity Health, including his role in the  
27           overall strategic direction and management of Dignity Health's Nevada  
28           Operations, with primary oversight for St. Rose Dominican Hospitals,

1 including all subsidiary organizations. Rod Davis may further testify  
2 about issues Dignity Health experienced with hospital overcrowding,  
3 bottlenecking, and throughput problems caused, in part, by ambulance  
4 transport delays. Mr. Davis is further expected to testify about the  
5 transport services AMR provided to Dignity Health facilities in Nevada  
6 and AMR's failure to adequately address these issues despite efforts to  
7 work with AMR to resolve the overcrowding, bottlenecking and  
8 throughput issues. Mr. Davis may further testify about his involvement  
9 on behalf of Dignity Health to develop Community Ambulance, and how  
10 Community Ambulance helped solve the bottlenecking and throughput  
11 issues the Dignity Hospitals were experiencing at that time. Mr. Davis is  
12 further expected to testify about his previous involvement on the Board  
13 of Managers for Community Ambulance, and the qualities of Rob  
14 Richardson and Brian Rogers as ambulance company operators and  
15 collaborative business partners.

16 14. Matthew Karger, EMS/Transfer Coordinator, Dignity Health  
17 Arizona General Mesa and Dignity Health Arizona General  
18 Laveen, c/o Hendricks Murphy, PLLC and/or the Meyerson  
Law Firm, PLC

19 Mr. Karger may testify about his education, background, and  
20 experience as an emergency medical technician, paramedic, emergency  
21 room technician, and current role as EMS transfer coordinator for the  
22 Arizona General Hospital ("AGH") system, including that system's ten  
23 freestanding emergency rooms in Maricopa County. With respect to his  
24 role as EMS transfer coordinator, which he has held since January 2018,  
25 Mr. Karger may testify that he is the primary contact person for all  
26 emergency medical or interfacility ambulance services and further  
27 testify about his communications with the various interfacility and 911  
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1 ambulance providers in Maricopa County, including intervenors. Mr.  
2 Karger may testify about extended and unacceptable wait times AGH  
3 facilities experience with AMR, and complaints made by AGH patients  
4 regarding AMR's ambulance service. Mr. Karger may testify about his  
5 communications with representatives of AMR and their failure to address  
6 the transport concerns of AGH. Mr. Karger may further testify about  
7 AMR's billing practices, including billing patients of AGH the full billed  
8 amount of a transport if insurance does not pay, balance billing patients  
9 even through insurance has paid for the transport, and billing AGH  
10 facilities without payor of last resort agreements in place between AMR  
11 and AGH. Mr. Karger may further testify about AGH's recent use of  
12 Maricopa Ambulance for transports in the west valley of Maricopa  
13 County, but not in the east valley because, as Michelle Engle of Maricopa  
14 Ambulance told Mr. Karger, Maricopa Ambulance does not have enough  
15 presence in the east valley to service that entire area. Mr. Karger may  
16 further testify that Maricopa Ambulance has told Mr. Karger that it  
17 cannot service AGH's facilities at Chandler, Gilbert (Baseline), Power  
18 (McKellips), or Power (Germann). Mr. Karger may testify how AGH's  
19 choice of east valley interfacility ambulance providers is effectively  
20 limited to AMR. Mr. Karger may further testify that he is unaware of  
21 whether ABC Ambulance has marketed its services to AGH or solicited  
22 transports from AGH. Mr. Karger may further testify that he is unsure if  
23 ABC offers critical care transports or has the capacity to handle the AGH  
24 transport volume.

- 25 15. Will Humble, Executive Director for the Arizona Public  
26 Health Association and former Director of the Arizona  
27 Department of Health Services, 700 E. Jefferson Street, Suite  
28 100, Phoenix, Arizona 85034, willhumble@azpha.org, (602)  
258-3361.

1           **Mr. Humble may testify about his education, experience, and**  
2 **background, including his tenure as the Assistant Director of Arizona**  
3 **Department of Health Services (“ADHS”), Deputy Director of ADHS,**  
4 **Interim Director of ADHS in 2009, and Director of ADHS from January**  
5 **2010 through March 2015. Mr. Humble may testify about the history of**  
6 **the EMS system and ambulance providers during his tenure with ADHS,**  
7 **including the implications for the EMS system and patient care when one**  
8 **company holds (or very few companies hold) a significant market share,**  
9 **particularly in highly populated urban service areas like Maricopa**  
10 **County. Mr. Humble may also testify about his previous involvement in**  
11 **the consideration of CON applications to provide ambulance services in**  
12 **the State of Arizona, including those applications for the Maricopa**  
13 **County service area. Mr. Humble may also testify about the development**  
14 **of and public policy considerations for the substantive policy statement**  
15 **in the guidance document (GD-099-PHS-EMS: Certificates of Necessity for**  
16 **Ambulance Service), and the public policy considerations in assessing**  
17 **public necessity for highly populated urban service areas as compared to**  
18 **public necessity considerations in rural and wilderness service areas. Mr.**  
19 **Humble may also offer testimony concerning Community Ambulance’s**  
20 **CON application and plan to provide interfacility and convalescent**  
21 **transports to Dignity Health patients in Maricopa County.**

22           **16. Rebecca Haas, RN, MSN, Clinical Supervisor, Dignity Health**  
23 **Urgent Care Maricopa, C/O Hendricks Murphy, PLLC and/or**  
24 **the Meyerson Law Firm, PLC.**

25           **Ms. Haas, a registered nurse, may testify about her educational**  
26 **background and work experience, including her current role as Clinical**  
27 **Supervisor for the Dignity Health Urgent Care Center located in**  
28 **Maricopa (the “Maricopa Urgent Care”). Ms. Haas may testify about her**

1 oversight and involvement in arranging for interfacility ambulance  
2 transports for Dignity Health patients at the Maricopa Urgent Care and  
3 delays the Maricopa Urgent Care experiences in the scheduling of  
4 transports and in arrival times of ambulances. Ms. Haas may offer  
5 testimony about the necessity of an additional provider of interfacility  
6 transports to efficiently move patients from urgent care facilities to  
7 hospital facilities with higher levels of care. Ms. Haas may also testify  
8 about her involvement in calls with representatives of AMR (the  
9 primary ambulance provider of interfacility transports for the Maricopa  
10 Urgent Care) to discuss issues the Maricopa Urgent Care experiences  
11 with AMR's interfacility transport service. Ms. Haas may also offer  
12 testimony about instances of Dignity Health patients leaving Maricopa  
13 Urgent Care against medical advice to drive themselves to facilities with  
14 higher levels of care due to delayed interfacility transports. Ms. Haas  
15 may also testify about instances in which AMR dispatchers have  
16 instructed her or other staff at the Maricopa Urgent Care to use 911 even  
17 though the patient needed an urgent interfacility transport, not a 911  
18 response. Ms. Haas may testify about negative experiences with AMR  
19 ambulance crews.  
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22 17. Rick Swearingen, D.O., Medical Director for Dignity Health  
23 Urgent Care at Ahwatukee and Maricopa (Pinal County), c/o  
24 Hendricks Murphy, PLLC and/or the Meyerson Law Firm,  
25 PLC.

26 Dr. Swearingen may testify about his education, background, and  
27 experience, including his role as a treating physician and Medical  
28 Director of the Dignity Health Urgent Care facilities at Ahwatukee and

1 Maricopa. Dr. Swearingen may testify about patient management and  
2 care issues that arise with delays in transporting urgent patients to  
3 higher levels of care from urgent care facilities. Dr. Swearingen may also  
4 testify about how urgent care facilities have been, at times, forced into  
5 activating 911 because of delayed arrival times, inefficiencies caused by  
6 ambulance delays, poor service to patients caused by ambulance delays.  
7 Dr. Swearingen may also testify that as a medical provider who directs  
8 the transport of patients by ambulance, he understands the difference  
9 between patients who require 911 emergency transports and patients  
10 who require urgent interfacility transports to a higher level of care. Dr.  
11 Swearingen may testify that most patients he treats at the Dignity Health  
12 Urgent Care facilities at Ahwatukee and Maricopa that require a transfer  
13 to a higher level of care are stable, urgent patients, but typically not 911  
14 patients. Dr. Swearingen may further testify about instances when AMR  
15 instructed urgent care staff to call 911 instead of turning the call to a  
16 backup ambulance provider. Dr. Swearingen may testify that AMR's  
17 estimated arrival times cannot be relied upon and that those estimated  
18 arrival times are often amended by AMR after the initial arrival times are  
19 provided. Dr. Swearingen may further testify about meetings with AMR  
20 during which AMR showed data that it was 100% compliant, which he  
21 knows from experience to be inaccurate. Dr. Swearingen may testify  
22 about his observation that patient acuity is getting higher and that he is  
23 seeing and treating sicker patients at the urgent care facilities, which  
24 may be resulting in an increased need for ambulance transports.  
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1           **18. Joseph E. Frazier, 3146 W. Celica Circle, Phoenix, Arizona**  
2           **85053, (602) 740-8855.**

3           **Mr. Frazier may testify about his education, background, and**  
4           **work experience, including serving for 25 years as a 911 dispatcher for**  
5           **the City of Phoenix Fire Department, and as an active paramedic within**  
6           **Maricopa County. Mr. Frazier may testify about the unnecessary**  
7           **burdens placed on the 911 system when an ambulance provider utilizes**  
8           **the 911 system for a non-911 call. Mr. Frazier may also testify about his**  
9           **current experience as a fire engineer and paramedic for the City of**  
10           **Buckeye, and circumstances in which the City of Buckeye's 911 system**  
11           **was overtaxed through the inappropriate use of the 911 system for non-**  
12           **911 interfacility transports.**

13           **19. Witnesses, as necessary, to lay foundation.**

14           **20. All witnesses listed by each Intervenor, and ADHS, irrespective of**  
15           **whether those parties call any such witness.**



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**B. Applicant's Exhibits**

Community Ambulance may offer the following documents as exhibits at the hearing in support of its application:

1. Applicant's CON Application Part 1.
2. Applicant's CON Application Part 2.
3. DHS Administratively Complete Letter dated June 28, 2016.
4. DHS Substantive Review dated August 4, 2016.
5. Applicant's Response to Substantive Review dated September 28, 2016.
6. DHS 2<sup>nd</sup> Substantive Review Letter dated November 3, 2016.
7. Applicant's Response to 2<sup>nd</sup> Substantive Review Letter dated November 14, 2016.
8. DHS Initial Findings Letter dated January 10, 2017.
9. Applicant's Response to Initial Findings Letter dated March 27, 2017.
10. DHS Second Findings Letter dated May 3, 2017.
11. Applicant's Letter to DHS dated April 6, 2018 regarding joining uniform rate group.
12. Applicant's Certificate of Foreign Registration dated October 10, 2017.
13. Applicant's Operating Agreement dated July 27, 2010.
14. Applicant's Arizona Corporation Commission database information.
15. Applicant's Good Standing Certificate dated April 18, 2018.
16. Arizona Base Station Agreement between Applicant and Dignity Health dated September 30, 2016.
17. Ambulance Services Agreement between Applicant and Dignity Health.
18. **Community Ambulance Organizational Chart.**

1           **19. Maricopa Ambulance Semi-Annual Response Time and**  
2 **Revenue Collection Reports.**

3           **20. ABC Rate Increase Request and Analysis (2018)**

- 4           21. DHS Guidance Document.
- 5           22. DHS Ground Ambulance Service Rate Schedule as of March 1, 2018.
- 6           23. Hearing Notice dated June 1, 2017.
- 7           24. Customer Agreement between AMR and Dignity Health.
- 8           25. Amendment to Customer Agreement between AMR and Dignity  
9 Health, effective February 21, 2017.
- 10          26. DHS Approval of Amendment to Customer Agreement between  
11 AMR and Dignity Health dated February 21, 2017.
- 12          27. AMR Motion for Intervening Party Status dated June 14, 2017.
- 13          28. Dignity Letter to AMR dated June 26, 2017.
- 14          29. AMR response to Dignity letter dated July 18, 2017.
- 15          30. Dignity response to AMR response dated July 19, 2017.
- 16          31. AMR response to July 19, 2017 Dignity letter dated July 20, 2017.
- 17          32. Transcript of Arizona Superior Court Proceedings from September  
18 28, 2017.
- 19          33. Arizona Superior Court Minute Entry dated October 11, 2017.
- 20          34. AMR Consolidation Request dated December 5, 2016.
- 21          35. AMR Consolidation Decision dated October 31, 2017.
- 22          36. PMT Consolidation Request dated December 5, 2016.
- 23          37. PMT Consolidation Decision dated October 31, 2017.
- 24          38. AMR Consolidated CON.
- 25          39. PMT Consolidated CON.
- 26          40. Rural Metro Maricopa CON.
- 27          41. Canyon State CON.

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- 42. ABC Ambulance CON.
- 43. Maricopa Ambulance CON.
- 44. ABC Ambulance 2015 ARCR.
- 45. ABC Ambulance 2016 ARCR.
- 46. **ABC Ambulance 2017 ARCR.**
- 47. Maricopa Ambulance 2016 ARCR.
- 48. **Maricopa Ambulance 2017 ARCR.**
- 49. PMT 2015 ARCR.
- 50. PMT 2016 ARCR.
- 51. **PMT 2017 ARCR**
- 52. Rural Metro (Maricopa) 2015 ARCR.
- 53. Rural Metro (Maricopa) 2016 ARCR.
- 54. **Rural Metro (Maricopa) 2017 ARCR.**
- 55. AMR of Maricopa 2015 ARCR.
- 56. AMR of Maricopa 2016 ARCR.
- 57. **AMR of Maricopa 2017 ARCR.**
- 58. American Comtrans 2015 ARCR.
- 59. American Comtrans 2016 ARCR.
- 60. **American Comtrans 2017 ARCR.**
- 61. American Ambulance 2015 ARCR.
- 62. American Ambulance 2016 ARCR.
- 63. **American Ambulance 2017 ARCR.**
- 64. Southwest Ambulance (Maricopa) 2015 ARCR.
- 65. Southwest Ambulance (Maricopa) 2016 ARCR.
- 66. **Southwest Ambulance (Maricopa) 2017 ARCR.**
- 67. Southwest Ambulance and Rescue 2015 ARCR.
- 68. Southwest Ambulance and Rescue 2016 ARCR.

- 1           **69. Southwest Ambulance and Rescue 2017 ARCR.**
- 2           70. R/M Holdings 2015 ARCR.
- 3           71. R/M Holdings 2016 ARCR.
- 4           72. AMR of Maricopa ALJ Decision.
- 5           73. AMR of Maricopa CON Hearing Transcripts Vol. 1.
- 6           74. AMR of Maricopa CON Hearing Transcripts Vol. 2.
- 7           75. AMR of Maricopa CON Hearing Transcripts Vol. 3.
- 8           76. AMR of Maricopa CON Hearing Transcripts Vol. 4.
- 9           77. AMR of Maricopa CON Hearing Transcripts Vol. 5.
- 10          78. AMR of Maricopa CON Hearing Transcripts Vol. 6.
- 11          79. AMR of Maricopa CON Hearing Transcripts Vol. 7.
- 12          80. AMR of Maricopa CON Hearing Transcripts Vol. 8.
- 13          81. AMR of Maricopa CON Hearing Transcripts Vol. 9.
- 14          82. Maricopa Ambulance ALJ Decision.
- 15          83. Maricopa Ambulance CON Hearing Transcripts Vol. 1.
- 16          84. Maricopa Ambulance CON Hearing Transcripts Vol. 2.
- 17          85. Maricopa Ambulance CON Hearing Transcripts Vol. 3.
- 18          86. Maricopa Ambulance CON Hearing Transcripts Vol. 4.
- 19          87. Maricopa Ambulance CON Hearing Transcripts Vol. 5.
- 20          88. Maricopa Ambulance CON Hearing Transcripts Vol. 6.
- 21          89. Maricopa Ambulance CON Hearing Transcripts Vol. 7.
- 22          90. Maricopa Ambulance CON Hearing Transcripts Vol. 8.
- 23          91. Maricopa Ambulance CON Hearing Transcripts Vol. 9.
- 24          92. Maricopa Ambulance CON Hearing Transcripts Vol. 10.
- 25          93. Maricopa Ambulance CON Hearing Transcripts Vol. 11.
- 26          94. Maricopa Ambulance CON Hearing Transcripts Vol. 12.
- 27          95. Maricopa Ambulance CON Hearing Transcripts Vol. 13.

- 1 96. Maricopa Ambulance CON Hearing Transcripts Vol. 14.  
2 97. ABC Ambulance ALJ Decision.  
3 98. ABC Ambulance CON Hearing Transcripts Vol. 1.  
4 99. ABC Ambulance CON Hearing Transcripts Vol. 2.  
5 100. ABC Ambulance CON Hearing Transcripts Vol. 3.  
6 101. ABC Ambulance CON Hearing Transcripts Vol. 4.  
7 102. ABC Ambulance CON Hearing Transcripts Vol. 5.  
8 103. ABC Ambulance CON Hearing Transcripts Vol. 6.  
9 104. ABC Ambulance CON Hearing Transcripts Vol. 7.  
10 105. ABC Ambulance CON Hearing Transcripts Vol. 8.  
11 106. ABC Ambulance CON Hearing Transcripts Vol. 9.  
12 107. ABC Ambulance CON Hearing Transcripts Vol. 10.  
13 108. ABC Ambulance CON Hearing Transcripts Vol. 11.  
14 109. ABC Ambulance CON Hearing Transcripts Vol. 12.  
15 110. ABC Ambulance CON Hearing Transcripts Vol. 13.  
16 111. March 5, 2018 Letter of Support sent to ADHS from Kara  
17 Kalkbrenner, Fire Chief, Phoenix Fire Department.  
18 112. July 27, 2017 Letter of Support sent to ADHS from Fire Chief Paul  
19 Adams of the Avondale Fire & Medical Department.  
20 113. July 5, 2017 Letter of Support sent to ADHS from Thomas Dwiggin,  
21 Fire Chief, City of Chandler Fire, Health & Medical Department.  
22 114. July 24, 2017 Letter of Support sent to ADHS from the Honorable  
23 Mayor of Gilbert, Arizona Jenn Daniels.  
24 115. July 18, 2017 Letter of Support sent to ADHS from Mary Cameli,  
25 Fire Chief, Mesa Fire and Medical Department.  
26 116. July 17, 2017 Letter of Support sent to ADHS from Greg Ruiz, Fire  
27 Medical Rescue Chief, City of Tempe.  
28

1           117. September 14, 2017 Letter of Support sent to ADHS from Bob  
2 Honeycutt, former President and Chief Executive Officer Arizona General  
3 Hospital (Laveen).

4           118. Letter of Support sent to ADHS from Mark Nichols, Fire Chief,  
5 Daisy Mountain Fire District.

6           119. Rural Metro (Maricopa) service map.

7           120. PMT service map.

8           121. Maricopa Ambulance service map.

9           122. Canyon State service map.

10          123. ABC Ambulance service map.

11          124. Drive time mapping during rush hour traffic.

12          125. CV of Robert Richardson.

13          126. Resume and Bio of Jeffrey T. O'Malley.

14          127. CV of Robb Beery.

15          128. Resume of Brandon Hestand.

16          129. CV of David Argue.

17          130. CV of John Shufeldt.

18          131. Resume of Ralph Vassallo Jr.

19          132. Resume of Michael Evans, CPA.

20          133. **Deleted.**

21          134. Resume of Mark Burdick.

22          135. Resume of Linda Hunt.

23          136. CV of Delores Kells.

24          137. October 16, 2014 Arizona Republic article, "Ambulance company  
25 sues state, seeks to offer cheaper services."

26          138. January 6, 2015 Phoenix Business Journal article, "American  
27 Medical Response to hire 80 for Maricopa County Service."  
28

1 139. August 2, 2016 Phoenix Business Journal article, "Former  
2 Rural/Metro exec wins ambulance contract in Maricopa County."

3 140. May 24, 2017 The Daily Courier article, "Fire Departments  
4 concerned with recent long ambulance response times."

5 141. December 5, 2017 Scottsdale Independent article, "Maricopa  
6 Ambulance awarded city of Scottsdale Contract."

7 142. August 10, 2017 Arizona Republic article, "Ambulance wars: Rival  
8 companies seek to bar hospital from offering medical transportation."

9 143. March 22, 2018 Arizona Republic article, "Maricopa County is  
10 fastest-growing in nation, according to U.S. Census data."

11 144. March 24, 2014 Arizona Republic article, "Phoenix Ambulance-ride  
12 cost: \$860."

13 145. **July 18, 2018 The Gazette article, "Colorado Springs keeps**  
14 **AMR contract despite failure to meet response time."**

15 146. **October 3, 2017 New York Times article "Dodging Bullets, a**  
16 **Medical Coordinator Responds to a Crisis."**

17 147. **Letter from Bank of Nevada dated August 24, 2018 regarding**  
18 **\$1,000,000 line of credit.**

19 148. **AZ Central article "What do Phoenix firefighters make in**  
20 **base salary?"**  
21 **[https://www.azcentral.com/story/news/local/phoenix/2015/03/30/phoenix-  
23 firefighter-base-pay-salary/70669382/](https://www.azcentral.com/story/news/local/phoenix/2015/03/30/phoenix-<br/>22 firefighter-base-pay-salary/70669382/)**

23 149. **Community Ambulance Operational Plan.**

24 150. U.S. Census Bureau Quick Fact Maricopa County.

25 151. **2010 Census Urban Areas by the Numbers "Definition of**  
26 **Urban and Rural" from the U.S. Census Bureau.**

1           152. Letter from Jon C. Klassen, Deputy Fire Chief of the Clark  
2 County, Nevada Fire Department dated August 27, 2018.

3           153. 2017 Health Care Headliners Award Certificate awarded to  
4 Brian Rogers.

5           154. 2017 Health Care Headliners Award Certificate awarded to  
6 Rob Richardson.

7           155. Various Health Care certifications, including instructor  
8 certifications for Brian Rogers.

9           156. 2005 Action Program Award issued to Rob Richardson for  
10 exemplary customer service by the Henderson Fire Department.

11           157. Heath Care Certifications issued to Rob Richardson by the  
12 State of Nevada Department of Public Safety.

13           158. FEMA Certifications issued to Rob Richardson

14           159. Certifications issued to Rob Richardson by the National  
15 Academy of Emergency Medical Dispatch.

16           160. Course Completion Certificate issued by CEVO II  
17 Ambulance to Robert Richardson.

18           161. Certificate of Appreciation issued by the City of Henderson  
19 Emergency Management Department to Robert Richardson.

20           162. Certificate of Appreciation issued by the City of Henderson  
21 Fire Department to Rob Richardson.

22           163. Certificate of Accreditation issued to Community  
23 Ambulance by the Commission on Accreditation of Ambulance Services  
24 in August 2015.

25           164. Certificate issued by EMS Management Training Institute to  
26 Robert Richardson for completion of Ambulance Service Management  
27 Program dated October 30, 1995.



1           165. Certificate of Recognition issued by the Clark County School  
2 District to Community Ambulance for contributions and service to the  
3 students in the Clark County School District 2017-18.

4           166. Clark County, Nevada Appreciation Award presented to  
5 Community Ambulance for service provided during the October 1, 2017  
6 incident on the Las Vegas strip.

7           167. Certificate of Recognition issued by the City of Henderson  
8 to Community Ambulance for its efforts during the October 1, 2017  
9 incident on the Las Vegas strip.

10          168. Congressional Record dated October 24, 2017 Honoring 1  
11 October First Responders.

12          169. May 18, 2018 Letter from Nevada Business Magazine to  
13 notifying and congratulating Community Ambulance on being selected  
14 as a 2018 Healthcare Hero.

15          170. EMS Today Session Speaker Announcement of Brian Rogers  
16 at the February 21-23, 2018 JEMS Conference and Exposition.

17          171. CV of Will Humble, M.P.H.

18          172. CV of Rod A. Davis.

19          173. CV of Brian Rogers.

20          174. CV of Rebecca Haas.

21          175. CV of Matthew Karger.

22          176. CV of Anne Burns, M.D.

23          177. Glenn Kasprzyk testimony from the Transcript of  
24 Proceedings in Dignity Health v. AMR Holding Co., Inc., et al, CV2017-  
25 009481.

1           178. Jeffrey O'Malley, Paul Cloward and Jeffrey McCollom  
2 testimony from the Transcript of Proceedings in Dignity Health v. AMR  
3 Holding Co., Inc., et al, CV2017-009481.

4           179. 2017 AMR Transport Contract Performance Data Report for  
5 transports provided under the Customer Agreement with Dignity  
6 Health.

7           180. Summary of Dignity Health Interfacility Transports by AMR  
8 (2016, 2017, Jan-Mar 2018)

9           181. EMS Call Log from Maricopa Urgent Care.

10          182. Map of healthcare facility locations where Intervenors  
11 currently have ambulance service agreements.

12          183. Map of Dignity Health facilities including stand-alone ERs  
13 and Urgent Care Centers in Maricopa County.

14          184. Map of all hospitals in Maricopa County including Dignity  
15 Health hospitals.

16          185. Map of Maricopa County Hospitals and Skilled Nursing  
17 Facilities.

18          186. Drive-time Map – all of Maricopa County

19          187. Drive-time Map – East Zone Maricopa County

20          188. Drive-time Map – Central Zone Maricopa County

21          189. Drive-time Map – West Zone Maricopa County

22          190. Bill of Sale related to purchase of Adeptus Health by Dignity  
23 Health effective June 1, 2018.

24          191. Matthew Karger calendar entries for meetings with AMR  
25 regarding Arizona General Hospital Emergent Transfer Process.

26          192. June 28, 2018 email from Matthew Karger to Todd Jaramillo  
27 regarding West-side Transfer Numbers.

1            193. Emails between Glenn Leland of Maricopa Ambulance and  
2 Jeffrey O'Malley of Dignity Health related to Medical Transportation  
3 Service Agreement between Maricopa Ambulance and Dignity Health  
4 (dates between July 26, 2017 and June 20, 2018).

5            194. HRSA.gov rural health area map.

6            195. 2016 and 2017 Slide Decks prepared by AMR regarding  
7 Performance Reporting for Dignity Health.

8            196. Dignity Health Community Benefit Reports (2013-2017) and  
9 Community Benefit Plans (2014-2018) for Mercy-Gilbert Medical Center,  
10 Chandler Regional Medical Center, St. Joseph's Hospital and Medical  
11 Center, and St. Joseph's Westgate Medical Center.

12           197. June 2015 email string among Brett McClain, Jeffrey  
13 O'Malley, Amanda Oliver, Damon Denstone, and Tina Brucato-Day  
14 regarding feedback about service provided by AMR and Rural Metro.

15           198. December 2015 email string among Jeffrey O'Malley, Mindy  
16 Camden, Roxanne Dudish, Rebecca Haas, Julie Hoffman, Brian Hasforth  
17 and Peg Smith regarding extended AMR ETAs.

18           199. December 2015 email string among Jeffrey O'Malley, Mindy  
19 Camden, Roxanne Dudish, Rebecca Haas, Julie Hoffman and Peg Smith  
20 regarding AMR service issues.

21           200. January 2016 email string among Larissa Spraker, Jeffrey  
22 O'Malley, Roxanne Dudish and Brandon Hestand regarding certain  
23 service concerns.

24           201. February 2016 email string between Paul Cloward and  
25 Jeffrey O'Malley regarding transport time concerns at Maricopa Urgent  
26 Care.

1           202. March 2016 email string between Paul Cloward and Jeffrey  
2 O'Malley regarding Maricopa Urgent Care follow up.

3           203. March 2016 email string among Rebecca Haas, Jeffrey  
4 O'Malley, Delores Kells, Ricky Swearingen, Roxanne Dudish, Mindy  
5 Camden, and Paul Cloward regarding insufficient Maricopa Urgent  
6 Care response times by AMR.

7           204. March 2016 email string among Roxanne Dudish, Alison  
8 Skinner, Tyson Huggans, Kyle Henson, Kevin Meek, Delores Kells,  
9 Cynthia Greninger, Paul Cloward, Damon Denstone, Brandon Hestand,  
10 Mindy Camden, Rebecca Haas, Jeffrey O'Malley, Barbara Harding and  
11 Linda Stutz regarding follow up to AMR/Dignity stakeholder meeting.

12           205. March/April 2016 email string among Paul Cloward, Jeffrey  
13 O'Malley, Alison Skinner, Kevin Meek, Bob Honeycutt, and Debrah  
14 Hartman regarding AMR contract performance reporting.

15           206. April 2016 email string among Paul Cloward, Jeffrey  
16 O'Malley, Alison Skinner, Kevin Meek, Bob Honeycutt, and Debrah  
17 Hartman regarding additional AMR contract performance reporting.

18           207. July 2016 email string among Jeffrey O'Malley, Paul  
19 Cloward, Beth Brown, and Glenn Kasprzyk regarding billing and payor  
20 issues.

21           208. July/August 2016 email string among Jeffrey O'Malley, Paul  
22 Cloward and Alison Skinner regarding AMR/Dignity service contract  
23 reporting.

24           209. July/August 2016 email string among Jeffrey O'Malley, Paul  
25 Cloward and Alison Skinner regarding additional AMR/Dignity service  
26 contract reporting.

1           210. February 2017 email from Rebecca Haas to Alison Skinner  
2 and Jeffrey O'Malley regarding ETAs and actual versus reported  
3 response times.

4           211. Reserved.

5           212. July 2017 email string between Jeffrey O'Malley and Alison  
6 Skinner regarding changes in AMR performance reporting.

7           213. July 2017 email string among Brandon Hestand, Jeffrey  
8 O'Malley, Jane Hanson, and Janet Shepard regarding failure of AMR to  
9 share audio tapes when miscommunications occurred between AMR  
10 and Dignity Health.

11           214. August 2017 email string among Brandon Hestand, Jeffrey  
12 O'Malley, Janet Shepard, Peg Smith, Todd Jaramillo, Paul Cloward, and  
13 Glenn Kasprzyk regarding patient issues and reporting requests.

14           215. November 2017 email string among Rebecca Haas, Jeffrey  
15 O'Malley, Alison Skinner, Delores Kells, Sherri Maez, and Ricky  
16 Swearingen regarding urgent versus non-urgent transports by AMR.

17           216. January 2018 email string between Glenn Leland and  
18 Jeffrey O'Malley regarding back-up agreement with Maricopa  
19 Ambulance.

20           217. Life Line Ambulance Service, Inc. 2017 ARCR.

21           218. R/M Arizona Holdings (Life Star EMS) 2017 ARCR.

22           219. AMR of Maricopa Overlap Service Map (CON 136)

23           220. Map of AMR of Maricopa (CON 136) Service Area.

24           221. ABC Overlap Service Map.

25           222. CV of Rick Swearingen.

26           223. Executive Summary Community Ambulance Integration  
27 Plan.

- 1           224. Call Intake Process Document Provided by AMR to Dignity  
2 Health.
- 3           225. Clark County Ambulance Franchise Performance Reports.
- 4           226. Letter of Support dated September 30, 2016 from Dignity  
5 Health.
- 6           227. RBR Management, LLC entity information from Nevada  
7 business database.
- 8           228. Dignity Health Patient Discharge Heat Map (Maricopa and  
9 Pinal Counties).
- 10          229. Joseph Frazier resume.
- 11          230. Emails produced by Rebecca Haas pursuant to the Dignity  
12 Health subpoena regarding AMR service issues (Dignity Bates No.  
13 CON002470 – 2575) (to be provided after review for PHI issues)
- 14          231. Emails produced by Brandon Hestand regarding AMR  
15 services issues (Dignity Bates No. CON002596 – 2615) (to be provided  
16 after review for PHI issues).
- 17          232. Emails produced by Delores Kells regarding AMR service  
18 issues (Dignity Bates No. CON002626 -2694) (to be provided after review  
19 for PHI issues).
- 20          233. Emails produced by Jeffrey O'Malley regarding AMR service  
21 issues and related items (Dignity Bates No. 002695 - 2809) (to be provided  
22 after review for PHI issues).

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RESPECTFULLY SUBMITTED this 18th day of September, 2018

**HENDRICKS MURPHY, PLLC**

By /s/ Brendan Murphy  
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Attorneys for Applicant

**ORIGINAL** filed this 18<sup>th</sup> day of September, 2018 via the OAH electronic document filing system <https://portal.azoah.com/oedf>, with copies provided to all parties on the approved mailing list by posting through the designated OAH website at <https://portal.azoah.com/oedf/documents/2017-EMS-0104-DHS/index.html>, in accordance with Case Management Order No. 1.

**COPY** of the foregoing with CD of Exhibits, hand-delivered this 18th day of September, 2018 to:

1 Office of Administrative Hearings  
2 1400 W. Washington, #101  
3 Phoenix, Arizona 85007

4 **COPY** of the foregoing with CD of Exhibits,  
5 mailed and made available via electronic share-file this  
6 18<sup>th</sup> day of September, 2018 to:

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