

CAMTS Prevails in Court Case

The Commission on Accreditation of Medical Transport Systems issued the following press release concerning the outcome of a significant court ruling last year.

On November 17, 2003, a judgment in favor of the Commission on Accreditation of Medical Transport Systems (CAMTS) was ordered by Judge Dale Kimball, a federal court judge in Salt Lake City, Utah. This judgment was the result of a lawsuit brought by Eagle Air Med Corporation of Blanding, Utah, versus CAMTS in January 2003 after Eagle Air Med's accreditation was suspended and then withdrawn.

Eagle Air Med is required to maintain CAMTS accreditation by the Indian Health Services in Arizona in order to maintain a business operating agreement. Eagle Air Med claimed they were not provided due process by CAMTS after CAMTS received several serious complaints from various sources regarding a number of accidents and incidents that were not reported on the Eagle Air Med's Program Information Form (PIF) and other claims of false training records and crew schedules.

The information regarding accidents and incidents was omitted from the PIF that was submitted as part of the site visit in 2001 that led to Eagle Air Med's accreditation. Due to the serious nature of these complaints, the CAMTS board immediately suspended Eagle Air Med's accreditation.

Suspension means there is action pending but also requires that the program be removed from the list of accredited services on the website until further action is determined. The CAMTS board has a responsibility to the public to ensure that the programs listed on the website provide safe transport and quality patient care according to substantial compliance with the accreditation standards and according to compliance with the CAMTS policies. After an investigation by CAMTS that included a response from Eagle Air Med to the allegations, accreditation was withdrawn.

Subsequently, Eagle Air Med sought and received a preliminary injunction in federal court requiring CAMTS to put Eagle Air Med back on the list of accredited services until a bench trial could be conducted.

The bench trial concluded on October 29, 2003. Based on the evidence presented, Judge Kimball's ruling issued on November 17, 2003 concluded that:

1. CAMTS acted reasonably and substantially complied with its own policies and procedures in suspending and subse-

quently withdrawing Eagle Air Med's accreditation.

2. CAMTS did not act in an arbitrary or capricious manner in how it applied its own policies and procedures to Eagle Air Med.
3. CAMTS is entitled to deference in making accreditation decisions.
4. CAMTS may suspend a program, pending an investigation by the executive board or full board if there is immediate, legitimate concern regarding the safety of a program.
5. The standards for review of the reasonableness of CAMTS' decision-making were in the record before CAMTS at the time the decision was made.

As a result, the judge dissolved the preliminary injunction and allowed CAMTS to take whatever further accreditation action, by way of the full board, with regards to Eagle Air Med's accreditation status that is in substantial compliance with the current CAMTS policies and procedures and, effective immediately, remove Eagle Air Med from the list of accredited programs on the website.

On December 8, 2003, the CAMTS board of directors reviewed the information provided during the investigation, discovery, and trial components of the inquiry and made a decision to withdraw Eagle Air Med's accreditation. Furthermore, this decision includes a length of time before Eagle Air Med is eligible to reapply for accreditation based on the current policies related to falsification of information and on the level and extent of the misrepresentation found in this case.

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