

Public Safety Authority FAQs

1. Why doesn't the bill say what a public safety authority can do?

- a. The bill amends the Municipal Authorities Act, which has been in place for decades and which already provides for the powers, duties, limitations, and organization of most public authorities in Pennsylvania. Rather than create a new law that copies most of what is already in the Act, the legislation simply tacks on EMS and fire authorities its list of purposes for which an authority may be created.

2. Shouldn't there be qualifications for board members?

- a. Under the legislation, the incorporators of an authority may set up qualifications for board members in the articles of incorporation or bylaws. Rather than putting a standard set of requirements of board composition, the legislation provides the flexibility for each county to customize the governance structure to their needs.

3. Wouldn't it be better to have separate authorities for EMS and Fire, and not combine them?

- a. The legislation authorizes counties to create an EMS authority, a fire services authority, or an authority for both EMS and fire services. A county may specify in the articles of incorporation what the authority's purpose is and can restrict it to one or the other forever. A county may create two authorities.

4. Would an authority merge all companies in a county?

- a. An authority would not merge any companies in its jurisdiction. Rather, it may act as a shared service provider to the municipalities and their companies and may contract with EMS or fire companies. Depending on what the communities want out of an authority, such contracts may provide for higher degrees of regional cooperation between companies, but the process for merging or consolidating companies remains as is and separate.

5. What are authority service districts?

- a. Service districts are an innovative way for authorities to provide different levels of services with different cost rates to subsections within its jurisdiction. For instance, an authority could provide a full package of administrative services to companies in one service district, while providing only accounting services to companies in a different district. The residents of the former district would have higher costs associated with the higher level of service, while the residents of the latter district would pay less. Service districts do not have to be based on geography but can be based on level of service and cost. This provides for more flexibility to meet each area's needs. Authorities do not have to use service districts.

6. What if only a few municipalities initially want to start an authority? Does every municipality have to join the county authority?

- a. Even if there are only a few municipalities that are initially interested in a public safety authority approach, the county may create the authority, which can start out by just serving those interested municipalities. While a countywide authority may theoretically cover those uninterested municipalities, the legislation prohibits an authority from providing services or assessing any service fees unless the municipality opts in to contract with the authority via ordinance.

- 7. If a company participates within an authority, can it still get its own grants and loans?**
 - a. Yes, as each company would remain its own entity even while participating in authority. An authority may even be tasked with assisting companies with grant and loan applications and administration. The legislation does not affect the eligibility rules of any existing grant and loan program.
- 8. Would municipalities be able to get authority EMS service without having to pay the authority?**
 - a. This legislation does not address the free-rider phenomenon caused by the requirement for EMS providers to respond to all calls. EMS companies that were supported by a public safety authority would still be obligated to respond to calls in municipalities that do not participate in authority if their own EMS providers are unable to respond. Participating EMS providers would still be able to bill patients, and an authority's service may help EMS providers deal with billing troubles and otherwise weather the free-rider costs that EMS companies currently face.
- 9. What happens if a municipality wants to join the authority, but their volunteer company does not want to?**
 - a. While we hope that municipalities and their volunteer companies would reach consensus about whether to participate in an authority or not, and to what degree, there may be circumstances in which the two parties disagree. If the municipality was insistent on participating, it could potentially recognize the authority as their EMS or fire service provider via ordinance and sever ties to the volunteer company. The authority would then need to arrange for cover of the municipality without the volunteer company or work out a contract with the volunteer company to provide services to the municipality. This "hardball" scenario is not ideal for any community and is not recommended.
- 10. Would career firefighters be employed by the public safety authority or by a municipality?**
 - a. The legislation stipulates that career firefighters remain employed by a municipality and may not be employed by an authority. This protects career firefighters current bargaining and benefit rights, which would not be constitutionally available to firefighters employed by an authority. However, while an authority may not be the legal employer of firefighters, it could still help fund municipal fire companies and help regionally coordinate