

TO: Town Board
Ambulance Service and Fire Department

FROM: Lisa Potswald

RE: Plan/Services Available for Emergency Services Re: COVID-19 - **DRAFT**

DATE: July 24, 2020

The Town Board held a meeting with the Ambulance Service Director Cindy Dalzell and Assistant Ambulance Director Sarah Schram on Wednesday, July 22, 2020 to discuss concerns the Ambulance Service has about COVID-19 and the threat it poses to the island, specifically if an emergency services volunteer becomes ill in the course of their volunteer work. Questions included:

- Will the Town cover the cost of transportation to/from and paying for a COVID-19 test?
- Will the Town arrange for and cover the cost of quarantine should an emergency services volunteer be exposed or become ill?
- Is there a possibility of hazard pay given the current situation?
- The Ambulance Service recommends that the Town Board pass a face covering ordinance.
- How can the Ambulance Service attract and retain volunteers?

Barb and I are researching the options and opportunities related to the concerns above, and these are some things we want to pass on:

COVID-19 ISSUES/PROTECTION

It is important to remember/understand that there is a big difference between an employee and a volunteer and the ability to keep volunteer status – we need to do more legal research to answer many of the questions.

1. All Ambulance Services and Fire Department volunteers are covered by a **blanket accident insurance policy through Provident**. A list of coverage and limits is attached to this memo – I will send complete copies to the Ambulance Service Director and Fire Chief so the members can see what the coverage is.

The Town presently has coverage under Plan 1 – the Town Board could certainly consider increasing both coverage limits and look at additional coverage through other products. Barb has followed up with the Rural Mutual agent who manages this policy and will be receiving additional information. **We could certainly ask the insurance representatives to do a phone conference with members to explain coverage and options for increased coverage.**

2. All Ambulance Services and Fire Department volunteers are covered through **Worker's Comp**. Any injury/claim must be reported to me and we will submit the claim to insurance. We are not yet sure if/how much Worker's Comp may cover in lost wages or in other expenses if the individual does not have a COVID diagnosis (only an exposure). Questions about COVID-19 coverage was posed to Nathan Pezewski, the Town's insurance agent:

“To begin with anything related to COVID, the Town should be following any and all guidelines set forth by the Federal, State, or local Government authorities for the health and welfare of all employees. This includes any social distancing, use of PPE, sanitizing guidelines, etc. If an employee were to place a claim against the Town for a situation such as you mentioned – performing tasking related to employment and becoming ill with COVID – then there would be a few different ways this could be addressed.

First, if an employee said they contracted COVID from work related incident, they should file a claim with Workers Compensation. There may be coverage available and it places the case with the adjustors rather than the Town to determine if the contraction can be directly tied back to a work related incident. Even though a direct link may be extremely difficult to prove, I still recommend filing a claim with Workers Compensation because if there are any legislative changes that occur due to COVID and could retroactively expand coverage, we want to make sure that all claims be considered for any of these changes.

Secondly, if a claim is filed under Workers Compensation and the claim were denied an employee could then file a claim with the Town.”

3. Regarding the anxiety and fear that Ambulance Service volunteers may be experiencing, Provident has resources available at <https://www.providentins.com/emergency-services/first-responder-assistance-program/>. I have attached this information to this draft as well.

4. Family Medical Leave Act (FMLA) benefits do not apply to volunteers.

I have contacted the Washburn city administrator to see how they handled their situation of ambulance staff exposure.

HOW TO ATTRACT AND KEEP MEMBERS

1. We have asked Cindy about any research and lobbying WEMSA is currently doing.

2. The Town has enrolled all members in the State of WI Length of Service Award Program and contributes every year to that at no cost to the volunteers. However, the maximum amount that can be contributed is set by the State.

3. Benefits:

- According to the Dept of Labor, “Volunteers may be paid expenses, reasonable benefits, a nominal fee or any combination thereof, for their service without losing their status as volunteers.”
- Title 29 553.106 (d). “Individuals do not lose their volunteer status if they are provided reasonable benefits by a public agency for whom they perform volunteer services. Benefits would be considered reasonable, for example, when they involve inclusion of individual volunteers in group insurance plans (such as liability, health, life, disability, workers; compensation) or pension plans or “length of service” awards, commonly or traditionally provided to volunteers of State and local government agencies, which meet the additional test in (f)....

- (f) “Whether the furnishing of expenses, benefits or fees would result in individuals’ losing their status as volunteers under the FLSA can only be determined by examining the total amount of payments made in the context of the economic realities of the particular situation.”

4. Health Insurance:

- Dept of Employee Trust Funds (ETF) does not allow enrolling non-WRS members in the Town’s health insurance.
- Other policies – perhaps the Town might join other emergency service organizations that may provide programs to volunteers.
- Barb will continue to do research on what might be available to volunteers.

5. Attached is legislation that Connecticut has passed which addresses many of the current concerns that have been discussed. Barb has contacted the WTA to ask for their direction on Wisconsin state laws and the Town’s ability to pass any ordinances for tax incentives, etc. like the State of Connecticut has done. However, in Wisconsin towns can only do something that is allowed/specified by statute. Village powers apply only if they don’t contradict town statutes.

This is the information Barb and I have found so far. We have contacted a number of people/places to gather information – we will continue to update this DRAFT plan as we get more information.

Ambulance Service volunteers, Fire Department volunteer and Town employees should all be confident that the Town will do whatever it can to assist in dealing with the pandemic and possible exposure. If you have any questions, please contact me at 715-747-6914 or at administrator@townoflapointewi.gov.

Attachments: A - Provident Insurance Coverage
B – Provident First Responder Assistance Program
C – Programs to Attract Volunteer Emergency Personnel in Connecticut



**Plans of Insurance for the
Town of La Pointe Volunteer Fire Department and Emergency Service**

Benefits apply while performing a Covered Activity.

Class 1: All volunteer classes of membership including but not limited to a Volunteer Member, Emergency Volunteer, Auxiliary Member, Fire Corps, Community Volunteer, Board Member, Trustee, Administrative Personnel, Junior Member, Member in Training, Probationary Member, and Part-Time Employees of the Policyholder.

Section I: Death Benefits

		<u>Plan 1</u>	<u>Plan 2</u>	<u>Plan 3</u>
A.	Covered Injury Death Benefit	\$10,000	\$25,000	\$50,000
B.	Covered Illness Death Benefit	\$10,000	\$25,000	\$50,000
C.	HIV Positive Diagnosis Lump Sum Benefit	\$10,000	\$25,000	\$50,000
D.	Bereavement Benefit	Up to \$1,000	\$2,500	\$5,000
E.	Dependent Child Benefit (Per Child)	Up to \$10,000	\$10,000	\$10,000
F.	Seat Belt Benefit	\$2,500	\$6,250	\$12,500
	Airbag Benefit	\$1,000	\$2,500	\$5,000
G.	Final Expenses Benefit	Up to \$1,000	\$2,500	\$5,000
H.	Spousal Benefit	\$5,000	\$5,000	\$5,000

Section II: Impairment Benefits

A.	Dismemberment, Loss of Speech or Hearing Benefit*	Up to \$10,000	\$25,000	\$50,000
B.	Vision Impairment Benefit*	Up to \$10,000	\$25,000	\$50,000
C.	Cosmetic Disfigurement from Burns Benefit*	Up to \$10,000	\$25,000	\$50,000
D.	Permanent Physical Impairment Benefit*	Up to \$10,000	\$25,000	\$50,000
E.	Felonious Assault Benefit	Up to \$5,000	\$12,500	\$25,000
F.	Impairment Modification Benefit*	Up to \$15,000	\$15,000	\$15,000
G.	Paralysis Benefit*	Up to \$10,000	\$25,000	\$50,000

* Benefits payable are based on the percentage of impairment or loss as defined in the Policy.

Section III: Income Protection Benefits

A.	Weekly Total Disability Benefits	Up to \$500	\$400	\$500
A.i.	Covered Injury Minimum Weekly Total Disability Benefit	\$100	\$100	\$100
A.ii.	Covered Illness Minimum Weekly Total Disability Benefit	\$100	\$100	\$100
A.iii.	Covered Injury Weekly Earned Income Replacement Benefit**	Up to \$400	\$300	\$400
A.iv.	Covered Illness Weekly Earned Income Replacement Benefit**	Up to \$400	\$300	\$400
B.	Partial Disability Benefit **	Up to \$500	\$400	\$500
C.	Cost of Living Adjustment	Up to \$1,500	\$1,200	\$1,500
D.	First Week Disability Benefit**	Up to \$1,000	\$1,000	\$1,000
E.	Transition Benefit	Up to Not Included	Not Included	Not Included
F.	Retraining Benefit	Up to Not Included	Not Included	Not Included

** Benefits are payable in coordination with the Loss of Earnings Coverage as defined in the Policy.

Plans of Insurance for the Town of La Pointe Volunteer Fire Department and Emergency Service

Benefits apply while performing a Covered Activity.

Section IV: Medical Expenses

		<u>Plan 1</u>	<u>Plan 2</u>	<u>Plan 3</u>
A.	Medical Expense Benefit***	Up to \$10,000	\$25,000	\$25,000
B.	Plastic Surgery Expense Benefit***	Up to \$10,000	\$10,000	\$10,000

*** We will not pay covered medical expenses incurred by an Insured Person that are paid or payable under Workers' Compensation, no fault auto or similar insurance.

Section V: Additional Benefits

A.	Daily Hospital Confinement and Outpatient Treatment Benefit		\$15	\$15	\$15
B.	Daily Critical Care Benefit		\$30	\$30	\$30
C.	Family Expense Benefit	Up to	\$5,000	\$7,500	\$10,000
D.	Occupational Rehabilitation Benefit	Up to	\$5,000	\$7,500	\$7,500
E.	Mental Stress Management Benefit	Up to	\$5,000	\$7,500	\$10,000
F.	Traumatic Incident Benefit	Up to	\$5,000	\$7,500	\$7,500
G.	Health Insurance Premium Benefit	Up to	\$12,000	\$12,000	\$12,000
H.	Surviving Spouse Education Benefit	Up to	\$10,000	\$15,000	\$20,000
I.	Dependent Child Education Benefit	Up to	\$10,000	\$15,000	\$20,000

	<u>Plan 1</u>	<u>Plan 2</u>	<u>Plan 3</u>
Annual Premium	\$1,096	\$1,471	\$2,093

The annual payment option offers a one-year rate guarantee.

3-year Installment Premium:	\$1,026	\$1,378	\$1,959
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The installment payment option offers a three-year rate guarantee which is paid each year for three years and represents a 6.7% discount off the annual premium.

3-year Prepaid Premium:	\$2,966	\$3,986	\$5,666
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The prepaid payment option offers a three-year rate guarantee which is paid in full at the beginning of the Policy Term and represents a 10% discount off the annual premium

Preparation Date: January 27, 2015

Proposed Effective Date: June 1, 2015

This proposal is valid for 90 days from the Preparation Date or until 1 day prior to the Renewal Date, whichever is later.

Underwritten by: AXIS Insurance Company



(<https://www.providentins.com/>)

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US/CO](https://www.providentins.com))

Attachment B

First Responder Assistance Program

As of 2018, firefighting is the **second** most stressful job in the US.¹ Provident can help offer some relief with the **First Responder Assistance Program**, which is included with our Accident & Health Insurance coverage (<https://www.providentins.com/emergency-services/accident-health-insurance/>).

The **First Responder Assistance Program** offers confidential support, resources, and referrals any time day or night by phone or online for first responders and their families for issues regarding:

- Stress Management
- Depression
- Family Conflict
- Anxiety
- Grief and Loss
- Relationships
- Financial or Legal
- Addictions
- Problem Gambling
- Child and Elder Care

US: CALL:

(855) 201-

US/CO

PROVIDENT INSURANCE SOLUTIONS SINCE 1902 Take advantage of these confidential services whenever you need them. For more information and to access the services available with the **First Responder Assistance Program**, call **855-207-1747**.

Or visit the website at www.workhealthlife.com (<https://www.workhealthlife.com/>).

Enter the password included with your enrollment materials.

Please watch our **First Responder Assistance Program video** (<https://www.youtube.com/watch?v=hokBn6ljdY>) to learn more.

Provident First Responder Assistance Program



Topic:

EMERGENCY MEDICAL SERVICES; VOLUNTEER LABOR; HIGHER EDUCATION; MUNICIPALITIES; HEALTH INSURANCE; PROPERTY TAX; WORKERS' COMPENSATION; TUITION; FIRE DEPARTMENTS;

Location:

EMERGENCY MEDICAL SERVICE; FIRE DEPARTMENTS AND FIREMEN; VOLUNTEER SERVICES;



Attachment C

November 2, 2006

2006-R-0679

**PROGRAMS TO ATTRACT VOLUNTEER
EMERGENCY SERVICES PERSONNEL**

By: Veronica Rose, Principal Analyst

You asked if the state authorizes any programs to attract volunteer firefighters and emergency services personnel.

SUMMARY

State law allows municipalities to (1) provide property tax relief to emergency services personnel and (2) enroll firefighters and volunteer ambulance service members in their group health insurance plans, under specified conditions. It (1) requires the state's public colleges to waive tuition for dependent children of volunteer firefighters who die in the line of duty; (2) prohibits employers from discharging, or discriminating against, volunteer firefighters or emergency services personnel who are late for, or absent from, work because they were responding to emergency calls; and (3) gives workers' compensation coverage to volunteer firefighters and volunteer ambulance service personnel injured while engaged in fire or emergency services duties.

TAX INCENTIVES

By law, a municipality may establish, by ordinance, a property tax relief program for volunteer emergency services personnel (volunteer firefighters, emergency medical technicians, paramedics, or ambulance drivers). The relief may take the form of (1) an abatement of up to \$1,000 in property taxes due in any fiscal year or (2) an exemption up to a maximum of \$1 million divided by the mill rate (expressed as a whole number per \$1,000 of assessed value) at the time of the assessment (CGS § 12-81w). (An exemption represents a reduction of the property's assessed value for tax purposes; an abatement is a reduction in the amount of taxes owed.)

Of 82 towns that responded to our statewide survey, 48 have established tax relief programs (see Attachment 1). Thirty-four of these provide the relief in the form of an abatement. Volunteers must meet criteria to qualify (e.g., respond to a certain number of calls or serve for a minimum number of years).

GROUP INSURANCE BENEFITS

By law, a municipality may allow active volunteer firefighters and volunteer ambulance service members to join the municipality's group health insurance plan if the volunteer (1) elects to enroll in the plan, (2) agrees to pay 100% of the premium and any additional costs, and (3) meets the municipal active-member definition. The law applies to any town, city, or borough that provides its employees with health, accident, and hospital plan benefits (CGS § 7-464).

TUITION WAIVERS

The law requires the state's community colleges, Connecticut State University, and the University of Connecticut to waive tuition for dependent children of volunteer firefighters killed in the line of duty. The waiver covers the tuition cost for credit-bearing undergraduate and graduate programs. It does not cover other charges or fees, such as student activity and course fees, or parking, and room and board (CGS §§ 10a-77(d), -99(d), and -105(e)).

JOB PROTECTION

The law prohibits employers, including the state and its subdivisions, from discharging, or discriminating against, a volunteer firefighter or member of a volunteer ambulance company who is late for, or absent from, work because he responded to an emergency call before work or during work hours. The employee must:

1. make every effort to notify his employer that he may be late or absent because he has to respond to an emergency fire or ambulance call before or during his regular working hours;
2. if unable to provide advance notice, give the employer a signed statement from the fire chief or ambulance company's medical director or chief administrator explaining why he could not provide the notice;
3. at the employer's request, submit a written statement from the fire chief or head of the ambulance company verifying that he responded to a fire or ambulance call and specifying the date, time, and duration of the response; and
4. notify his employer promptly of any change to his volunteer status.

An employee fired or discriminated against in violation of these provisions may sue his employer within one year of the violation for (1) reinstatement, (2) back wages, and (3) reestablishment of benefits to which he would have been otherwise entitled. The court may award the prevailing party costs and reasonable attorneys' fees (CGS § 7-322c).

WORKERS' COMPENSATION COVERAGE

The law gives workers' compensation coverage to active members of volunteer fire companies and departments and volunteer ambulance services for injuries suffered while

engaged in fire duties or volunteer ambulance services. It allows the volunteers to use the greater of their employment salary or the state average production wage to calculate their benefits. The coverage includes a presumption that an injury caused by heart disease or hypertension is compensable, provided a prior physical examination by a licensed physician appointed by the service failed to reveal such conditions (CGS § 7-314b).

VR:dw

ATTACHMENT 1

Table 1: Emergency Services Personnel Tax Relief by Town*

	<i>Town</i>	<i>Type of Relief</i>	<i>Amount of Relief</i>	<i>Eligibility Criteria</i>
1	Avon	Exemption	\$250-\$1,000	Based on participation
2	Bethel	Unclear	\$250-\$1,000	Based on years of service and participation (must complete at least one year)
3	Bethany	None	NA	NA
4	Bethlehem	Tax Credit	Up to \$1,000 to ambulance workers; None to firefighters	Based on participation; Firefighters chose a small pension based on participation, instead of the tax relief.
5	Branford	None	NA	NA
6	Bridgeport	None	NA	NA
7	Bristol	None	NA	NA
8	Canterbury	None	NA	NA
9	Canton	None	NA	NA
10	Chester	Exemption	\$700-\$1,000	Based on years of service and participation
11	Cheshire	Abatement	\$250-\$1,000	Based on participation and years of service
12	Clinton	Exemption	\$1,000	Not reported