

August 2, 2019

COR/2019/080602

Dear Applicant:

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* [Our File #: HCS/102/2019]

On July 5, 2019, the Department of Health and Community Services (the Department) received your request for access to the following records:

“Please provide: ??? the total expenditures paid for air ambulance charters for fiscal 2018-19 including breakdown by charter company. ??? a copy of any contracts that are in place for air ambulance charters ??? a copy of any consultant reports regarding the delivery of air ambulance services. ??? any briefing notes, documents, reports, emails relating to the privatization of air ambulances services.”

On July 8, 2019, the portion of your request pertaining to the privatization of air ambulances services was transferred to the Department of Transportation and Works.

I am pleased to inform you that a decision has been made by the Department to provide access to the requested information.

The total expenditures for fiscal year 2018/19 air ambulance charters were \$4,550,239 broken down as follows:

- Provincial Aerospace Ltd (PAL) - \$2,626,787
- Exploits Valley Air Services Ltd (EVAS) - \$1,453,362
- Out of Province Charters (Sky Service, Fox Flight, Latitude Air) - \$470,090

The Department currently retains the services of PAL and EVAS according to the attached specifications for YYT and YYR included respectively in this package. These specifications may be subject to change. Attached also are the Purchase Orders for both providers. Please note that the consultant reports regarding the delivery of air ambulance services are available online per the following:

<https://www.health.gov.nl.ca/health/findhealthservices/airambulance.pdf>
https://www.health.gov.nl.ca/health/publications/nl_ambulance_review.pdf
https://www.health.gov.nl.ca/health/publications/nl_air_amb_report_2014.pdf

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact the undersigned by telephone at 709-729-7010 or by email at MichaelCook@gov.nl.ca.

Sincerely,



Michael Cook
ATIPP Coordinator
/Enclosures

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 , the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

Air Ambulance Services for the Department of Health and Community Services, Government of Newfoundland & Labrador

Minimum Specifications (*Subject to revision)

Air Ambulance Service Requirements

- The Department requires a dedicated fixed wing aircraft equipped with a LifePort, or equivalent, Medivac System.
- The aircraft will be dedicated, to mean it will be exclusively available (24/7) to Health and Community Services (HCS) and respond only to HCS medical transport requests.
- The Air Ambulance Service will be available on a Hot Standby basis such that it will be airborne in less than 1 hour from notice, subject to acceptable weather conditions.
- The primary flight requirement for the HCS dedicated aircraft will be intra-provincial (Newfoundland and Labrador) patient transports with the possibility of interprovincial transports as required.

Aircraft Specifications

- The aircraft will be a pressurized, twin engine, two pilot aircraft equipped to fly on Instrument Flight Rules (IFR).
- The aircraft will have a service ceiling of at least 25,000 feet while maintaining a minimum cabin pressure differential of 5.0 and a minimum cruising speed of 250 knots.
- The aircraft must be capable (with 700 kg onboard) of wet runway landing/taking off at the airports listed below with sufficient fuel to fly to St. John's with Gander as an alternate:
 - St. John's, Gander, Deer Lake, Stephenville, St. Anthony, Goose Bay, Wabush and Blanc Sablon
- The aircraft shall be equipped with a system for tracking aircraft movement that can interface into Government Air Services' dispatch system.

Medical Cabin Specifications

- An occupational health and safety review of any aircraft provided for use as an air ambulance must be completed with the appropriate officials as determined by the Department. Any identified occupational health and safety concerns noted during the review must be addressed to the satisfaction of all parties prior to the aircraft being cleared for use as an air ambulance in the Newfoundland and Labrador air ambulance program.

- The medical cabin shall be designed to assure safe ingress and egress of the medical team and the patient, and maximum safety for the patient and medical crew during flight.
- There must be adequate space within the cabin and for the Medical Flight Team to provide patient care and seating (two seats) must be available directly parallel to the patient while maintaining 9 inches of unobstructed egress.
- The medical cabin shall be equipped with skid free steps and flooring that are easily cleaned, disinfected; and seating and walls must have a non-absorbent readily washable material that can also be disinfected.
- The medical cabin shall be equipped with a single patient LifePort, or equivalent, system which will include one Aero Sled litter, a monitor table or Lifeport Arch that attaches to the stretcher and a loading ramp.
- The interior space must allow for the patient to lie flat, be supported in a semi-sitting position, or in the Trendelenberg (feet elevated) position, and adequate open space must be available to allow for traction devices to be placed on the patient's head and/or legs.
- There must be seating in the medical cabin for at least three primary medical attendants and each seat must be functional to the provision of patient care.
- The medical crew seat positions shall have intercom capability.
- The aircraft heating and cooling system must provide and maintain a cabin temperature of 22 degrees Celsius, with an allowable variance of + or – one degree Celsius.
- The medical cabin must have electrical plugs available to support the incubator and other electrical equipment.
- The on board oxygen supply in total shall provide the equivalent volume to support 5 to 6 hours of oxygen at a 15 liters per minute flow rate.
- Secure storage for 4 carry-on medical bags is required. The bags are approximately 26 cm x 31 cm x 51 cm. Storage outside the Medical Cabin is not acceptable.
- The medical cabin must be outfitted with a Sharps container.
- The medical cabin must have straps to secure monitor and carry on equipment.
- IV hangers must be present in the ceiling over the patient area.

- The aircraft must be outfitted with a light or lights over the patient area, illuminating the length of the patient, with a dimmer switch.
- A blackout curtain/door must be present to allow for separation of the medical cabin and the cockpit.
- The pressurized aircraft must have the ability to adjust outflow valves to aid in the removal of odors from the cabin.
- Fresh drinking water shall be available on all flights.
- There must be a satellite phone available on the aircraft at all times for air to ground communications by the Medical Flight Team.
- There shall be a floatation device for each occupant on board.

Patient Loading and Capacity

- The cabin door and loading mechanism must support safe and secure loading of the patient on the Aero Sled or comparable stretcher while maintaining the patient in a flat horizontal position (without side to side tipping).
- The air flight crew personnel will be required to assist in, and direct as required, the patient loading and unloading sequence as required to assure patient safety.
- Occupational health and safety must be considered for patient loading and off loading as part of the aforementioned review under section Medical Cabin Specifications.

Aviation Personnel Specifications

- The Aircraft will be staffed at all times with two pilots proficient and current in flight operations of the proposed aircraft and Instrument Flight Rules (IFR) operations.
- Pilot duty times and schedules will be in strict accordance with the current Transport Canada crew rest requirements.

Response Times and Pilot Availability

- The primary aircraft and pilots must be available for response and in a Mission Ready status, (e.g. not already engaged on a flight, out of service for maintenance, and with weather permitting) and be prepared for take-off from St. John's Airport on 100% of the flight requests it receives within a one-hour response time.

9.0 Aircraft Basing

- The primary aircraft will be based in St. John's and be available for takeoff from St. John's Airport within one hour of a transport request on a 24 hour basis, each day of the year.

- The Contractor shall agree to damages of 1/30 of the monthly retainer fee per medevac request when it is determined the aircraft is not available for takeoff in St. John's within one hour for either weather or unscheduled maintenance issues.
- The primary aircraft may be repositioned at the request of HCS or delegate. Agreed repositioning costs will be paid by HCS.

Maintenance and Aircraft Out of Services Periods

- The Contractor must have 24/7 maintenance capability.
- The Contractor must be able to provide an alternate backup aircraft equipped for air ambulance services in the event the primary aircraft is out of service for scheduled maintenance for greater than 24 hours.
- The Contractor will pay daily damages to HCS, based on 1/30 of the monthly retainer fee prorated hourly beginning with the twenty fifth (25th) hour of the primary Aircraft being out of service for scheduled maintenance if a Back-Up Aircraft is not on-site and mission ready within the specified time frame for scheduled maintenance.
- The Contractor shall provide not less than 2 weeks written notification prior to scheduled maintenance being conducted that will prospectively exceed eight (8) consecutive hours.
- The Contractor must be able to provide an alternate backup aircraft equipped for air ambulance services in the event the primary aircraft is out of service for unscheduled maintenance for greater than 48 hours.
- The Contractor will pay daily damages to HCS, based on 1/30 of the monthly fee prorated hourly beginning with the forty ninth (49th) hour of the primary Aircraft being out of service for unscheduled maintenance if a back-up aircraft is not on-site as mission ready within the specified time frame.
- HCS/GAS management is to be notified immediately of any unscheduled maintenance event that will result in an aircraft being taken out of service or placed on a delay of any kind.
- Failure to appropriately remove the Aircraft from service for maintenance issues will result in early termination of the contract, without cure.
- The Contractor is responsible for cleaning and disinfecting the aircraft between all patient medevacs.

Minimum Standard for Operations

- All the necessary permits and certificates necessary to carry out an Air Ambulance Service.

- The Air Ambulance shall be operated, at a minimum, in such a way that meets or exceeds the higher of the then-current standards established by Transport Canada or those of the Contractor.
- The aviation management services provided, the assigned pilots and engineers, and any aircraft used in the performance of this contract must result in flight operations and maintenance practices that consistently achieve the highest standards of safety. The Contractor must be in full compliance with all Transport Canada regulations for both the operation and maintenance of the aircraft under the category of approved operation that incorporates the Medical Flight Team, the patient care provided in flight, and the patient.
- The Contractor has in effect and can maintain in effect throughout the term of the proposed contract a liability insurance policy covering both the primary and if applicable the back-up aircraft and their operation in respect of bodily injury, property damage and passenger liability with an inclusive limit not less than \$20,000,000 per occurrence. The Contractor must have the Province named as additional insured.

Reimbursable Expenses

Reimbursable expenses shall be included as a single line item on invoices at cost and shall be supported by documentation to confirm the amount of the expense paid by the Contractor.

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- The aircraft must be capable (with 700 kg onboard) of wet runway landing/taking off at the airports listed below with sufficient fuel to fly to St. John's with Gander as an alternate:
 - St. John's, Gander, Deer Lake, Stephenville, St. Anthony, Goose Bay, Wabush, Blanc Sablon, Clarenville, Winterland, Fogo, Exploits and St. Andrews.
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- An occupational health and safety review of any aircraft provided for use as an air ambulance must be completed with the appropriate officials as determined by the Department. Any identified occupational health and safety concerns noted during the review must be addressed to the satisfaction of all parties prior to the aircraft being cleared for use as an air ambulance in the Newfoundland and Labrador air ambulance program.

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- There must be adequate space within the cabin and for the Medical Flight Team to provide patient care and seating (two seats) must be available directly parallel to the patient while maintaining 9 inches of unobstructed egress.
- The medical cabin shall be equipped with skid free steps and flooring that are easily cleaned, disinfected; and seating and walls must have a non-absorbent readily washable material that can also be disinfected.
- The medical cabin shall be equipped with a single patient LifePort system which will include one Aero Sled litter, a monitor table or Lifeport Arch that attaches to the stretcher and a loading ramp.
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- Pilot duty times and schedules will be in strict accordance with the current Transport Canada crew rest requirements.

Response Times and Pilot Availability

- The primary aircraft and pilots must be available for response and in a Mission Ready status, (e.g. not already engaged on a flight, out of service for maintenance, and with weather permitting) and be prepared for take-off from Happy Valley-Goose Bay Airport on 100% of the flight requests it receives within a one-hour response time.

9.0 Aircraft Basing

- The primary aircraft must be based at a location that allows for it to be available for takeoff from Happy Valley-Goose Bay Airport within one hour of a transport request on a 24 hour basis, each day of the year.

- The Contractor shall agree to damages of 1/30 of the monthly retainer fee per medevac request when it is determined the aircraft is not available for takeoff in Happy Valley-Goose Bay within one hour for either weather or unscheduled maintenance issues.
- The primary aircraft may be repositioned at the request of HCS or delegate. Agreed repositioning costs will be paid by HCS.

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- The Contractor has in effect and can maintain in effect throughout the term of the proposed contract a liability insurance policy covering both the primary and if applicable the back-up aircraft and their operation in respect of bodily injury, property damage and passenger liability with an inclusive limit not less than \$20,000,000 per occurrence. The Contractor must have the Province named as additional insured.

Reimbursable Expenses

Reimbursable expenses shall be included as a single line item on invoices at cost and shall be supported by documentation to confirm the amount of the expense paid by the Contractor.

 Government of Newfoundland and Labrador Public Procurement Agency 30 Strawberry Marsh Rd. St. John's NL A1B 4R4		Purchase Order No. 219010483	Revision No. 0	Page No. 1		
TO: PROVINCIAL AEROSPACE LTD PO Box 8071 St John's, NL A1B 3M9 Canada		SHIP TO: Financial Services Health & Community Services Box 8700 Confed Bldg Main Floor West Block St. John's, NL A1B 4J6 Canada				
Customer No. Supplier No. 0031714215		Ordered / Buyer 19-JUN-19 Hayes, R		Revised / Buyer		
F.O.B: DESTINATION		Requestor: McLoughlin, Loretta		Contact:		
IMPORTANT: Document valid ONLY if NAME and DATE are present in "Authorized By" section.						
AUTHORIZED BY: Quilty, R		DATE: 19-JUN-19		TOTAL: \$600,000.00		
Line NO:	Item No./Description	Promised Date	Quantity / UOM	Unit Price	Extended	Tax

PLEASE NOTE: TO ENSURE TIMELY PAYMENT OF YOUR INVOICE, THE PURCHASE ORDER (PO) NUMBER MUST BE CLEARLY INDICATED ON THE INVOICE OR A COPY OF THE PO INCLUDED WITH THE INVOICE. COPIES OF INVOICES SHOULD NOT BE PROVIDED TO THE DEPARTMENT REQUESTING GOODS/SERVICES. FOR MORE INFORMATION PLEASE VISIT: www.gov.nl.ca/fin/suppliers/invoiceguide.pdf

1	AIR AMBULANCE AIRCRAFT CHARTER 9MEDEVAC CONFIGURED)		600000 EACH	1.00	600,000.00	
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Government of Newfoundland and Labrador

Public Procurement Agency
30 Strawberry Marsh Rd.
St. John's NL
A1B 4R4

TO: EXPLOITS VALLEY AIR SERVICES LTD
PO Box 355
Gander, NL
A1V 1W7
Canada

Purchase Order No.	Revision No.	Page No.
219005248	0	1

SHIP TO: Financial Services
Health & Community Services
Box 8700 Confed Bldg Main Floor
West Block
St. John's, NL A1B 4J6
Canada

BILL TO: Department of Finance
Corporate Financial Services
657 Topsail Road
St John's, NL A1E 2E3
Canada

Customer No.	Supplier No. 0031773971	Ordered / Buyer 06-MAY-19 Hayes, R	Revised / Buyer
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F.O.B: DESTINATION	Requestor: McLoughlin, Loretta	Contact:
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IMPORTANT: Document valid ONLY if NAME and DATE are present in "Authorized By" section.

AUTHORIZED BY: Quilty, R	DATE: 07-MAY-19	TOTAL: \$600,000.00				
Line NO:	Item No./Description	Promised Date	Quantity / UOM	Unit Price	Extended	Tax

PLEASE NOTE: TO ENSURE TIMELY PAYMENT OF YOUR INVOICE, THE PURCHASE ORDER (PO) NUMBER **MUST** BE CLEARLY INDICATED ON THE INVOICE OR A COPY OF THE PO INCLUDED WITH THE INVOICE. COPIES OF INVOICES SHOULD NOT BE PROVIDED TO THE DEPARTMENT REQUESTING GOODS/SERVICES. FOR MORE INFORMATION PLEASE VISIT: www.gov.nl.ca/fin/suppliers/invoiceguide.pdf

1	AIR AMBULANCE AIRCRAFT CHARTER SERVICES (MEDEVAC CONFIGURED)		600000 EACH	1.00	600,000.00	
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