

# MEMAC - Frequently Asked Questions

1. Explain the difference between EMAC and MEMAC.

EMAC is an interstate mutual aid compact that allows participating states to send or accept personnel, equipment, technical support and other forms of assistance between states. Typically those are state agency resources (e.g., state police, national guard, highway trucks and crews, etc.) under the control of the governors of the assisting states, rather than assets from local governments. MEMAC is an intrastate assistance compact among local political subdivisions within the state of Michigan. MEMAC does not involve any authority or plans for the governor to mobilize or send local personnel or assets out of state.

2. Who inventories the resources that each signatory possesses in order to determine the best agency to respond to a requesting party?

The Michigan State Police Emergency Management Division will maintain the MEMAC resource database in the SEOC.

3. Can the incident commander of the event cancel or terminate the services of the assisting party at any time?

The local incident commander is in charge of the scene and when he/she believes that the local resources can manage the situation, he/she can terminate the MEMAC assistance.

4. How will this work with proposed regional response teams?

All the governmental legal entities of the regional response teams will be required to be signatories of the compact and then will be requested to assist where appropriate.

5. Will there be a directory/listing provided to all agencies participating in the MEMAC agreement?

Absolutely there will be a directory/listing provided to all agencies participating in the MEMAC agreement.

6. Is the requesting agency required to be under a Local State of Emergency prior to requesting assistance?

No, MEMAC is primarily intended to facilitate a comprehensive and coordinated response to major or widespread threats or catastrophic events for which a local and gubernatorial declaration of a state of

emergency or disaster for the affected jurisdiction(s) are anticipated or already issued. However, nothing precludes a participating government from invoking MEMAC for emergencies, disasters or other serious threats to public health and safety in the absence of a formal emergency or disaster declaration at any level. MEMAC assistance shall not be requested by any participating government unless it is anticipated that the resources available within the jurisdiction or through other, preexisting local or regional mutual aid or reciprocal aid compacts or agreements will be exhausted, inadequate or overwhelmed in response to the threat or event being faced.

7. What happens if a non-signatory requests assistance for their jurisdiction, would assistance be withheld?

No assistance would be withheld. The disadvantage to a non-signatory requesting assistance is that they may be denied eligibility for federal cost reimbursement under federal reimbursement programs.

8. How would this agreement affect privately owned ambulance and EMS providers?

Private and private non-profit EMS in responding to a request for assistance will provide services on a contractual basis equivalent to their existing business practices.

9. Does reimbursement include the costs of those deployed, those who backfill for those deployed, or both?

Requesting agencies are responsible for deployment costs of the assisting parties. MEMAC and Federal guidelines do not recognize backfill expenses.

10. If adopted by jurisdiction in both counties, will this agreement negate the need for an inter-county mutual aid agreement currently being developed by 2 counties that often cross county lines for fire response, but do not have mutual aid agreements?

Not at all. The Michigan Emergency Management Assistance Compact (MEMAC) does not replace or supersede existing local mutual aid agreements. Participating governments would by design invoke MEMAC only when they require assistance not available from existing mutual aid agreements and resources.

11. When dealing with fire authorities, do they need to have each municipality approve the agreement?

No, the elected supervisor of the fire authority can sign for the fire authority.

12. How can this be called a “mutual” aid compact? Many smaller agencies and jurisdictions will never have the resources to provide the same level of assistance provided by larger metro departments. Won’t this just encourage these agencies to “rent” public safety protection from the bigger players and avoid “stepping up to the plate” to properly develop their own capabilities?

We have learned a great deal about ourselves as Americans through the tragic events of September 11<sup>th</sup>. We learned that we are people that care about our neighbors, and that we will sacrifice much to help fellow Americans wherever they may be in times of crisis. MEMAC creates an organized process and structure spelled out in advance for jurisdictions large and small across the state to render or receive assistance in times of crisis. It addresses problematic issues concerning workman’s compensation insurance, expense reimbursement and liability coverage, **before** assistance is needed and requested.

13. It has been stated that participating governments cannot request or render aid through this mutual assistance agreement “contingent” upon state or federal disaster assistance. What does that mean?

Operating under the authority of the public assistance provisions of the federal Stafford Act and Disaster Mitigation Act 2000, FEMA will not reimburse a local government for any costs associated with securing assistance from another local government entity unless that assistance was obtained through a pre-existing mutual aid agreement that required reimbursement. Further a local jurisdiction would be disqualified for federal reimbursement for those costs if the mutual aid agreement had been entered into, or mutual aid requested or rendered, contingent upon there being a federal declaration with public assistance reimbursement. In other words, local jurisdictions that receive emergency assistance under the MEMAC must be prepared to expend resources and accept their obligations for reimbursement to the assisting parties regardless of whether a federal declaration is ever forthcoming.

14. What are the major advantages or benefits for local units of government that participate in the proposed MEMAC?

No single, local entity can afford to purchase, hire or maintain all the personnel, equipment and other resources that would be necessary to respond to every possible disaster or emergency. Direct state and federal disaster response may be limited and/or delayed. Participation in the proposed Michigan Emergency Management Assistance Compact allows each local entity to leverage the collective resources of all other

participating members and secure timely, useful assistance for protecting public health and safety.

Under the proposed Michigan Emergency Management Assistance Compact, potentially issues of liability, workmen's compensation insurance, and cost reimbursement are identified and agreed upon in advance. All parties involved—those receiving, and those rendering assistance—know their obligations, responsibilities and expectations up front.

MEMAC will eliminate the burden that a non-signatory may be denied eligibility for federal cost reimbursement under federal reimbursement programs.