



April 3, 2019

The Honorable Mike McGuire
Chair, Senate Governance and Finance Committee
State Capitol, Room 5061
Sacramento, CA 95814

RE: SB 438/Hertzberg – Emergency medical services: dispatch
As Amended March 25, 2019 – OPPOSE

Dear Senator McGuire:

The California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), County Health Executives Association of California (CHEAC), Emergency Medical Services Administrators Association of California (EMSAA) and the Emergency Medical Services Medical Directors Association of California (EMDAC), representing California's 58 counties and the 33 local emergency medical services agencies (LEMSAs) serving them, must regrettably oppose SB 438, authored by Senator Hertzberg. This measure would restrict the use of non-governmental operated public safety answering points (PSAPs), including 9-1-1 EMS dispatch centers, and would circumvent the existing oversight of LEMSA medical directors to ensure the appropriate deployment and use of EMS resources.

SB 438 attempts to overturn 22 years of Supreme Court precedent in *County of San Bernardino v. City of San Bernardino* (1997 15.Cal. 4th 909). The State Supreme Court explained in enacting the EMS Act in 1980, "the Legislature conceived of 'medical control' in fairly expansive terms, encompassing matters directly related to regulating the quality of emergency medical services, including policies and procedures governing dispatch and patient care." Other subjects of medical control include those policies designed to improve the "speed and effectiveness" or emergency response as well as "how the various providers will interact at the emergency scene."

Should SB 438 become law, public safety agencies would be permitted to act outside of the medical control of the LEMSA medical director in the response and delivery of prehospital emergency care. This fragments the EMS system and may result in considerable variation in the

care provided to patients and risks patient safety as deviations from LEMSA policies and procedures may occur without any ability for the LEMSA to issue corrective action. It is for these reasons, we regretfully must oppose SB 438.

Sincerely,

As signed by

Farrah McDaid Ting
CSAC Legislative Representative

As signed by

Kelly Brooks-Lindsey
UCC Legislative Representative

As signed by

Tracy Rhine
RCRC Legislative Advocate

As signed by

Michelle Gibbons
CHEAC Executive Director

As signed by

Kris Lyon, MD
EMDAC President

As signed by

Tammi McConnell
EMSAAC President

cc: The Honorable Robert Hertzberg, Member, California State Senate
The Honorable Susan Eggman, Member, California State Assembly
Honorable Members, Senate Governance & Finance Committee
Anton Favorini-Csorba, Consultant, Senate Governance & Finance Committee
Ryan Eisberg, Consultant, Senate Republican Caucus



April 3, 2019

The Honorable Jim Wood, DDS
Chair, Assembly Health Committee
State Capitol, Room 6005
Sacramento, CA 95814

**RE: AB 1544 (Gipson): Community Paramedicine or Triage to Alternate Destination Act
As Introduced February 22, 2019 – OPPOSE UNLESS AMENDED
Set for Hearing on April 9, 2019 – Assembly Health Committee**

Dear Assembly Member Wood:

The California State Association of Counties (CSAC), Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), representing all 58 of California's counties, and the County Health Executives Association of California (CHEAC) representing local health departments throughout the state, have adopted an OPPOSE UNLESS AMENDED position on Assembly Member Mike Gipson's Assembly Bill 1544. While counties are supportive of community paramedicine and alternate transport, AB 1544 weakens local control of the Emergency Medical Services (EMS) systems and incorporates unnecessary constraints on the community medicine and alternate destination program structure.

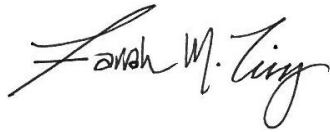
AB 1544 requires that if the Local Emergency Medical Services Agency (LEMSA) establishes a community paramedicine or triage to alternative destination program, it must allow a public agency, such as city fire departments, the first right of refusal to operate such a program. By requiring the county LEMSAs to provide the first right of refusal for operating an alternate destination or triage program only to public agencies, AB 1544 restricts the county's authority to implement the program in the safest and most effective way. This provision would result in a patchwork of alternate destination services within a single county and could disrupt the existing delivery of emergency medical services. Additionally, there is no clinical justification for this public preference and this mandate is in direct contradiction to the requirement that LEMSAs ensure quality and timely EMS services to all residents within its jurisdiction by developing a county-wide EMS plan with all qualified partners in the county.

Additionally, AB 1544 placed additional burdens and restrictions on local EMS agencies that opt to operate an alternate destination or triage program, including the formation of new and bureaucratic board-appointed committees and unnecessary EMS plan requirements.

Counties continue to strongly support alternate destination and triage programs, many of which may also help our members in their efforts to combat homelessness by improving the health and behavioral health of residents by providing the appropriate level of services to the appropriate individuals at the appropriate time. It is critical for LEMSAs to retain their authority to develop alternate destination programs while maintaining their responsibility to create and oversee a comprehensive local emergency medical services prehospital transport system.

CSAC, UCC, RCRC, and CHEAC stand ready to work with Assembly Member Gipson and the bill's sponsors to ensure a cohesive and safe local EMS system in each of our counties. We recognize this issue is complicated and are seeking feedback from our members on the provisions of AB 1544, and will share proposed amendments as soon as possible.

Sincerely,



Farrah McDaid Ting
Legislative Representative
California State Association of
Counties (CSAC)



Kelly Brooks-Lindsey
Legislative Representative
Urban Counties of California (UCC)



Tracy Rhine
Legislative Advocate
Rural County Representatives of
California (RCRC)



Michelle Gibbons
Executive Director
County Health Executives Association of
California (CHEAC)

cc: The Honorable Mike Gipson, Member, California State Assembly
The Honorable Todd Gloria, Member, California State Assembly
The Honorable Robert Hertzberg, Senator, California State Senate
Tam Ma, Deputy Legislative Secretary, Office of Governor Brown
Jennifer Lim, Deputy Director of Legislative Affairs, Emergency Medical Services
Authority
Christy Bouma, California Professional Firefighters
Betsy Armstrong, Senior Policy Analyst, Emergency Medical Services Administrators
Association of California
Kathryn Scott, California Hospital Association
Adriana Ruelas, Steinberg Institute