



Contra
Costa
County

To: Board of Supervisors
From: Anna Roth, Health Services Director
Date: June 21, 2022

Subject: Emergency Medical Services and Ambulance Ordinance of Contra Costa County No. 2022-21

RECOMMENDATION(S):

ADOPT Ordinance No. 2022-21, amending the County Ordinance Code to regulate prehospital personnel and the operation of ambulances in Contra Costa County.

FISCAL IMPACT:

It is anticipated that enforcement of the ordinance will result in additional costs related to increased oversight of prehospital personnel and ambulances operators. However, new fees are expected to offset most of these costs, including fees for annual ambulance inspections, ambulance reinspection, ambulance temporary operating permits, ambulance permit reinstatements, and special event medical standby permits.

BACKGROUND:

The Contra Costa Emergency Medical Services Agency ("EMS Agency") was established by the County pursuant to California Health and Safety Code section 1797.200 to oversee the administration of emergency medical services ("EMS") in Contra Costa County. Under the County Ordinance Code, the EMS Agency oversees the emergency medical services system and permits ambulance service providers, among other responsibilities.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **06/21/2022** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 21, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Marshall Bennett,
(925) 608-5454

cc:

Ordinance No. 2022-21, the Ambulance and Emergency Medical Services Ordinance, amends Division 48 of the County's Ambulance Ordinance, which was last amended in 1983. The proposed Ambulance and Emergency Medical Services Ordinance addresses changes in EMS and ambulance operations that have occurred during the last three decades; enhances patient and prehospital personnel safety by clarifying the EMS Agency's regulatory authority and oversight; provides additional oversight of EMS, special event medical standby services, and ambulance operations; and improves the process for permitting ambulance service providers operating in Contra Costa County.

BACKGROUND: (CONT'D)

Important updates in Ordinance No. 2022-21 include, but are not limited to, the following:

General updates:

- Incorporates changes required by California Assembly Bill 389 (2021-2022) codified at Health and Safety Code sections 1797.230 and 1797.231, authorizing the County to contract for emergency ambulance services with a fire agency that will provide those services, in whole or in part, through a written subcontract with a private ambulance subcontractor.

- Improves the EMS Agency's ability to regulate and oversee the provision of EMS in Contra Costa County by, among other things, requiring criminal history background checks on ambulance owners; requiring special event medical standby services to employ only certified and licensed prehospital personnel; requiring that ambulance service providers have paramedic or nurse level personnel to oversee their quality assurance programs; requiring ambulance service providers to have only trained and qualified dispatchers; and requiring prehospital personnel meet minimum training requirements established by the EMS Agency and its Medical Director.

- Provides oversight of private EMTs and critical care transport ambulances staffed by registered nurses by requiring that critical care transport units staffed by registered nurses are trained in local EMS policies and procedures and have medical doctor oversight.

- Requires special event emergency medical service companies to obtain a permit from the EMS Agency to provide emergency medical services, requires that prehospital personnel employed by special event medical service standby be licensed or certified, to have a multi-patient plan, to have coordinated with local public safety emergency responders for responding to an emergency involving multiple patients, and to have proper business licenses and liability insurance.

- Requires private venues to contract with a special event medical services companies to provide emergency first aid at specified events.

- Provides for a more clear and transparent appeal processes for all administrative actions relating to Certificates of Operation for ambulance service providers (application, approval/denial, suspension, revocation, and reinstatement) by establishing specific criteria for approval and denial of an application for a Certificate of Operation and for the suspension and revocation of a Certificate of Operation. The revised ordinance also provides a mechanism and criteria by which the holder of a suspended or revoked Certificate of Operation may have their Certificate of Operation reinstated.

- Provides mechanisms to integrate non-emergency ambulances into the 9-1-1 system during major incidents or when the EMS system has been depleted of 9-1-1 ambulances.

- Makes certificates of operation non-transferrable.

- Requires minimum marking requirements for ambulances.

- Provides for intermittent inspections of ambulances for compliance checks.

Establishes new requirements for ambulance service providers and personnel to enhance public safety:

- Requires Live Scan background checks of owners/operators of ambulance service providers.
- Requires holders of a Certificate of Operation for ambulance service providers to have a quality improvement plan for advanced life support, basic life support, and critical care ambulance services and requires these certificate holders to employ qualified personnel to implement and oversee a quality improvement plans and quality assurance processes.
- Requires ambulance personnel to take an approved emergency vehicle operations course.
- Requires holders of a Certificate of Operation for ambulance service providers to provide prehospital personnel in their employ with specified personal protection equipment (PPE) and to have an infection control plan to respond to employee exposure to infectious diseases.
- Enhances ambulance security by requiring ambulance operators to secure their vehicles to prevent theft of the vehicle, equipment and uniforms. Requires holders of Certificates of Operation to participate in regular operational exercises to ensure an effective and coordinated response to disasters and multi-patient incidents.
- Improves transparency and protects the consumer by requiring ambulance services to publicly post their fees, Certificate of Operation, and business license(s) in their principal business office and on their website.

Cost recovery for Contra Costa County:

- Establishes authority for the EMS Agency to collect fees for annual ambulance inspections, ambulance reinspection, ambulance temporary operating permits, ambulance permit reinstatements, and special event medical standby permits, which would offset the direct cost incurred to the EMS Agency for providing these services.

PUBLIC OUTREACH:

Ordinance No. 2022-21 represents extensive work by the Contra Costa County EMS Agency staff, including studying EMS and ambulance operations and procedures and revising the existing Ambulance Ordinance Code. The EMS Agency recently conducted extensive stakeholder outreach that spanned ten (10) months and resulted in endorsements by the Contra Costa County Fire Protection District, the San Ramon Valley Protection District, the Contra Costa County Executive Fire Chiefs, and a unanimous vote by the Contra Costa County Emergency Medical Care Committee to approve submission of the proposed ordinance to Board of Supervisors for adoption.

Contra Costa County EMS has a webpage dedicated to the ordinance revision process that includes the current ordinance, updated draft ordinance, a matrix showing where revisions were made in the ambulance ordinance, stakeholder outreach and comments, and a PowerPoint slide presentation that highlight updates to the ordinance and the intended purpose of such updates. This material is posted publicly and can be located on CCCEMS website cchealth.org/ems/#Ordinance

CONSEQUENCE OF NEGATIVE ACTION:

If the proposed Ambulance and Emergency Medical Services Ordinance is not adopted, the EMS Agency will be unable to monitor and regulate the provision of EMS by individuals and entities who provide special event medical standby services at private and public venues. The EMS Agency will also be limited in its regulatory oversight of ambulance service providers, ambulance operators, and ambulance operations within the County and would be constrained to regulate ambulance and emergency medical services to the industry standards that existed in 1983 when the County's ambulance ordinance was last amended. Additionally, failure to adopt the revised ordinance, would pose an impediment to the County entering into future contracts with fire service agencies that subcontract for emergency ambulance services under what is known today as the "Alliance" model in Contra Costa County.

ATTACHMENTS

Revision Matrix

EMS Ordinance