



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 5/6/2019

Agenda Placement: 7A

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee
FROM: Mary Booher - County Executive Officer
County Executive Office
REPORT BY: Molly Rattigan, Deputy County Executive Officer - 253-4112
SUBJECT: SB 438 (Hertzberg) Emergency Services

RECOMMENDATION

County Executive Officer requests discussion and possible direction on SB 438 (Hertzberg), a bill that would prohibit a public agency from delegating, assigning, or contracting for 911 call processing or emergency notification duties regarding the dispatching of emergency response resources, unless the delegation is with another public agency or pursuant to a joint powers agreement or cooperative authority.

EXECUTIVE SUMMARY

SB 438 (Hertzberg) would prohibit a public agency from delegating, assigning, or contracting for 911 call processing or emergency notification duties regarding the dispatching of emergency response resources unless the delegation is with another public agency or pursuant to a joint powers agreement or cooperative authority.

Staff has identified significant concerns with the proposed legislation and will present these concerns in detail at the Legislative Subcommittee meeting.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of

Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Warren-911-Emergency Assistance Act requires every local public agency to establish and operate an emergency telephone system using the digits 911. The act ensures efficient statewide delivery of emergency services and established a local agency Public Safety Answering Points (PSAP), to answer and respond to requests for emergency services. A call to 911 first goes to the PSAP, which is always a law enforcement agency. The dispatcher answering the call determines whether the call is related to law enforcement, fire, or medical needs and routes the call appropriately to a secondary PSAP, law enforcement personnel, the local government with fire protection responsibility, or the emergency medical services provider.

In 1980, the Legislature enacted the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act (EMS Act) to create the modern-day EMS system. The EMS Act created the Emergency Medical Services Authority (EMSA) within the state government and allowed for counties to develop an EMS program and designate a Local EMS Agency (LEMSA).

The EMS Act vests "medical control" with the LEMSA and the LEMSA's medical director adopts policies and procedures for dispatch, patient destination policies, patient care guideline and quality assurance requirements to ensure that state and local standards are met. EMS may be provided under contract by private services, by contract with fire departments or public agencies, or by both public and private entities.

Senate Bill 438 would prohibit a public agency from delegating, assigning, or contracting for 911 call processing or emergency notification duties regarding the dispatch of emergency response resources unless the delegation or assignment is to, or the contract is with, another public agency or made pursuant to a joint powers agreement or cooperative agreement.

Staff has raised significant concerns about SB 438, particularly as it relates to local medical control by taking away the ability of a LEMSA to determine the best way to provide emergency medical response. In Napa County's case, the County currently contracts with American Medical Response for the provision of EMS services and SB 438 would allow public safety dispatch centers to unilaterally determine how these ambulance services are utilized in Napa County. It would also allow each public service agency to operate its own dispatch services and potentially fragment the delivery of emergency medical dispatch and EMS services in Napa County and around the state. Under SB 438, a public safety dispatch center would be free to ignore LEMSA's dispatch protocols and operational/clinical oversight, eroding the quality assurance or quality improvement control over emergency medical dispatch.

California State Association of Counties- Oppose
Rural County Representatives of California- Oppose

SUPPORTING DOCUMENTS

A . SB 438

B . SB 438 Fact Sheet

Recommendation: Approve

Reviewed By: Molly Rattigan