



ASSEMBLY BILL 2973

Emergency Medical Services Coordination

SUMMARY

Assembly Bill 2973 codifies relevant case law and clarifies the statutory responsibilities of counties, the board of supervisors, and local emergency medical services agencies regarding EMS and ambulance services within counties throughout the state.

This bill is declaratory of existing statute and case law.

BACKGROUND

The Emergency Medical Services (EMS) Act is designed to encourage coordination and planning among the State, counties, cities, fire districts, and private providers in order to achieve the most effective and responsive ambulance transport within each county.

Counties have the authority to develop EMS programs and designate a Local EMS Agency (LEMSA) to manage day-to-day operations and service delivery. The California Emergency Medical Services Authority (EMSA) serves as the central agency overseeing emergency and disaster medical services statewide.

The City of Lomita vs. County of Los Angeles (Cal.App.3d 1983, 1986), determined that counties have an obligation to provide emergency medical care and transport to all persons located in the county. This responsibility can be fulfilled by creating a separate county department, assigning the duty to an existing department, contracting

with local agencies, or hiring private ambulance companies.

Under the EMS Act, a LEMSA, on the recommendation of a county, may create an Exclusive Operating Area (EOA), incorporating one or more service providers as exclusive providers of emergency ambulance services within a defined geographic area if a competitive process is utilized to select the provider or providers.

PROBLEM

Despite the enactment of the EMS Act and relevant case law, confusion persists regarding the roles, responsibilities, and statutory authorities of counties, the board of supervisors, and LEMSAs. The ambiguity extends to EOAs and the counties responsibilities and authorities governing ambulance services.

SOLUTION

AB 2973 clearly outlines the authorities and responsibilities of counties, the board of supervisors, and LEMSAs concerning emergency ambulance services. This bill is consistent with longstanding state law (EMS Act) and case law.

The bill reaffirms that the county board of supervisors holds the responsibility for providing ambulance services. It also clarifies that a county can assign its responsibility to a new or existing county department, contract with cities and/or fire districts, contract with a private ambulance provider, or employ a combination of these four

options (Lomita Case Law) using existing county policy and ordinance.

AB 2973 requires the board of supervisors to review and approve the plans developed by a LEMSA before these plans are submitted to the statewide EMSA. It is important to note that the EMSA will have the final ability to approve or reject the plan, creating another check and balance in the process.

AB 2973 also enacts the following procedural requirements for when a LEMSA creates an EOA pursuant to a competitive process: (1) the county's purchasing department and the LEMSA shall jointly develop and administer the competitive process pursuant to existing county procurement rules and best practices; (2) the board of supervisors shall review and approve the competitive process before issuance to the public; and (3) the board of supervisors has the sole authority to approve contracts and operating rights awarded pursuant to a competitive process. These procedural requirements are intended to ensure that EOA competitive processes are the product of county personnel with the most relevant expertise, and subject to oversight by county policymakers.

AB 2973 will enhance the accessibility of emergency medical services in California while promoting accountability, transparency, and coordination among all stakeholders involved in providing EMS services.

SUPPORT

Fire Chiefs Association of Santa Barbara County
(Sponsor)
California Fire Chiefs Association (CalChiefs)

AB 2628 Fact Sheet
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