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County of Sacramento

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June 3, 2024

Assembly Member Steve Bennett
State Capitol, Room 4710
Sacramento, CA 95814

**Re: AB 1168 (Bennett). Emergency Medical Services (EMS): Prehospital EMS. – Oppose
(As Amended July 13, 2023)**

Dear Assembly Member Bennett:

On behalf of the Sacramento County Board of Supervisors, I respectfully write to oppose AB 1168 (Bennett). This bill would still fracture the delivery of emergency medical services, which puts the public at risk of harm.

LEMSAs ensure the high quality, safe, and equitable delivery of EMS care to all of California. AB 1168, as proposed to be amended, seeks to overturn an extensive statutory and case law record that repeatedly affirmed county/ LEMSA responsibility for the administration of emergency medical services and removes the flexibility to design systems to equitably serve residents throughout their jurisdiction.

With the passage of the Emergency Medical Services Act in 1980, California created a framework for a two-tiered system of EMS governance through both the state Emergency Medical Services Authority (EMSA) and LEMSAs. LEMSAs are required by the EMS Act to create a local EMS system that is timely, safe, and equitable for all residents/visitors. To do so, LEMSAs honor Health and Safety Code section 1797.201 authorities and adhere to the exclusive operating areas provisions contained in Section 1797.224. LEMSAs contract with public and private agencies to ensure coverage of underserved areas regardless of the challenges inherent in providing uniform services throughout geographically diverse areas.

AB 1168 seeks to abrogate unsuccessful legal action that attempted to argue an agency's Health and Safety Code section 1797.201 authorities (i.e., the regulation that allows eligible city and fire districts to administer EMS including providing their own or contracted non-exclusive ambulance service). In *City of Oxnard v. County of Ventura*, the court determined that their case "would disrupt the status quo, impermissibly broaden Health and Safety Code section 1797.201's exception in a fashion that would swallow the EMS Act itself, fragment the long-integrated emergency medical system, and undermine the purposes of the EMS Act." Of note:

- Section 1797.232 (C) fails to mention that the JPA shall also comply with applicable EMS statutes and regulations.
- Section 1797.232 (D) should read that the JPA entities shall coordinate with the LEMSA versus the other way around, as currently written.

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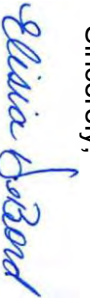
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- Proponents argue that cities/fire districts are reluctant to enter into JPAs for fear of losing their Health and Safety Code section 1797.201 administrative responsibilities. In practice, many cities/fire districts are currently part of JPAs and still retain their Health and Safety Code section 1797.201 authorities. Nothing would preclude a JPA agreement from ensuring those administrative responsibilities could be maintained in the context of the JPA if all parties agree.

County oversight is important because it assures standardized and coordinated EMS response and ensures that services are distributed equitably across the entire county. Currently, counties assure equitable EMS delivery to all communities by purposefully defining exclusive operation areas (EOAs) that incorporate disadvantaged and well-resourced communities so that EMS service providers can fiscally sustain provisions of service to all communities within the EOA. Intentional fragmentation of existing EOAs by AB 1168 risks the equitable delivery of care.

For these reasons, Sacramento County opposes AB 1168. Please feel free to contact me at (916) 874-4627 or deborde@saccounty.gov.

Sincerely,



Elisia De Bord
Governmental Relations and Legislative Officer

cc: Sacramento County Delegation
Chair and Members, Board of Supervisors
Audrey Ratajczak, Cruz Strategies