



County Executive
David Villanueva

Governmental Relations and
Legislative Officer
Elisia De Bord

County of
Sacramento

Board of Supervisors
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August 28, 2024

The Honorable Gavin Newsom
Governor of California
1021 O Street, Suite 9000
Sacramento, CA 95814

**Re: AB 1168 (Bennett). Emergency Medical Services (EMS): Prehospital EMS.
Request for Veto**

Dear Governor Newsom,

On behalf of the Sacramento County Board of Supervisors, I write to oppose AB 1168 (Bennet) and respectfully request that you veto this measure.

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."

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

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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 requests your veto. Please feel free to contact me at (916) 874-4627 or deborde@saccounty.gov.

Sincerely,



Elisia De Bord

Governmental Relations and Legislative Officer

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