



# CITY OF HAYWARD AGENDA REPORT

AGENDA DATE April 28, 1998

AGENDA ITEM 3

WORK SESSION ITEM \_\_\_\_\_

**To:** Mayor and City Council  
**From:** Fire Chief  
**Subject:** Resolution Supporting Assembly Bill 2586

**Recommendation:**

It is recommended that the City Council adopt the attached resolution and authorize the Mayor to forward it to appropriate State officials.

**Background/Discussion:**

Assembly Bill 2586 was introduced by Assembly Member Deborah Ortiz in response to existing law which authorizes the local Emergency Medical Services (EMS) agency, designated by a county, to determine, oversee and regulate emergency ambulance services without any required input or consideration from the cities within the service areas. This Bill will add a section to the Health and Safety Code that will allow Cities and Fire Districts to have input and control of the level of ambulance services provided within their jurisdictions.

In proposing the legislation, the author asserts that over the past decade there has been an erosion in the provision of emergency ambulance services and public safety standards due to the growing dominance of private companies, motivated primarily by profit rather than public safety. Many counties establish emergency ambulance standards and negotiate emergency ambulance contracts without input from fire districts, city officials, or residents who are uniquely qualified to understand the public safety concerns of their communities. It has been said that the result of this exclusion is that cities have greater oversight and enforcement (such as it is) over cable television providers and waste haulers than on the provision of emergency ambulance services to their residents.

Because cities operate the 911 dispatch system and provide emergency fire and police services, these entities are connected to, and concern about the emergency ambulance services their residents receive.

In order to ensure that quality, responsive emergency ambulance services are afforded to all Californians, cities and fire districts should be allowed to establish emergency ambulance services and enforce public safety standards for their communities.

The League of California Cities, California Professional Firefighters, California State Firefighters' Association, California Fire Chiefs' Association are all supportive of the new legislation which will allow all cities the right to decide and control the level of ambulance service within their jurisdictions.

Based on the above, we recommend your support of AB2586 with the attached Resolution.

In a related matter, we wish to make the Council aware of National Emergency Medical Services Week, May 17-23, 1998.

National Emergency Medical Services Week is sponsored by the International Association of Fire Chiefs, the Federal Emergency Management Agency's United States Fire Administration, the American College of Emergency Physicians, along with the American Academy of Pediatrics, the American Ambulance Association, the Emergency Nurses Association, the National Association of Emergency Medical Technicians, the National Council of State EMS Training Coordinators, the National Association of EMS Physicians, and the U.S. Department of Transportation's National Highway Traffic Administration, Maternal and Child Health Bureau.

Locally, the Mayor has agreed to issue a proclamation in recognition of the week. The Fire Department is putting together a public interest news release on our local EMS capabilities, including the Hayward Fire Department's new fire engine based paramedic program. All of the fire stations will host an open house on Saturday, May 23, from 1:00 to 5:00 PM.

Residents can drop by and get their blood pressures taken, see the paramedic and other medical equipment carried on the fire engine, and receive a variety of useful EMS related flyers, 911 magnets, first-aid guides, 911 bookmarks and coloring books. The event will be publicized to encourage maximum participation by residents.

**Recommended by:**



John Boykin, Fire Chief

**Approved by:**



Jesús Armas, City Manager

Attachment A – Copy of Assembly Bill 2586

Attachment B - Resolution

BILL NUMBER: AB 2586 AMENDED  
BILL TEXT

Attachment A

AMENDED IN ASSEMBLY MARCH 30, 1998

INTRODUCED BY Assembly Member Ortiz  
(Coauthors: Assembly Members Floyd, Goldsmith, and Strom-Martin)

FEBRUARY 23, 1998

An act to amend Section 1797.224 of, and to add Section 1797.227 to , the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2586, as amended, Ortiz. Emergency medical services: cities and fire districts.

Existing law authorizes the local Emergency Medical Services (EMS) agency, designated by a county, in each designated EMS area to develop and submit a plan to the EMS authority for an emergency medical services system in accordance with certain guidelines. Existing law also authorizes a local EMS agency to create one or more exclusive operating areas in the development of a local plan, if a competitive process is utilized to select the provider or providers of the services pursuant to the plan. Existing law prohibits a competitive process from being required if the local EMS agency develops or implements a local plan that continues the use of existing providers operating within a local EMS area in the manner and scope in which the services have been provided without interruption since January 1, 1981.

This bill would limit the prohibition on imposing this requirement until January 1, 1999. The bill would similarly authorize a city or fire district to create one or more exclusive operating areas within its jurisdictional boundaries in order to improve ambulance response times, increase the number of paramedics available on advanced life support ambulances, or improve the manner and scope in which emergency medical services are provided, in accordance with specified procedures.

Existing law contains provisions relating to the provision of prehospital emergency medical services upon the request of a city or fire district.

This bill would define "fire district" for purposes of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *The Legislature finds and declares the following:*

(a) *Over the past decade there has been an erosion in the provision of emergency ambulance services and public safety standards due to the growing dominance of private companies, motivated primarily by profit rather than public safety, that provide emergency ambulance services.*

(b) Many counties establish emergency ambulance standards and negotiate emergency ambulance contracts without input from fire districts, city officials, or residents who are uniquely qualified to understand the public safety concerns of their communities. The result of this exclusion is that cities have greater oversight and enforcement over cable television providers and waste haulers than on the provision of emergency ambulance services to their residents.

(c) Because cities operate the 911 dispatch system and provide emergency fire and police services, these entities are connected to, and concerned about, the emergency ambulance services their residents receive.

(d) In order to ensure that quality, responsive emergency ambulance services are afforded to all Californians, cities and fire districts should be allowed to establish emergency ambulance services and enforce public safety standards for their communities.

SEC. 2. Section 1797.224 of the Health and Safety Code is amended to read:

1797.224. (a) A local EMS agency may create one or more exclusive operating areas in the development of a local plan, if a competitive process is utilized to select the provider or providers of the services pursuant to the plan. No competitive process is required, until January 1, 1999, if the local EMS agency develops or implements a local plan that continues the use of existing providers operating within a local EMS area in the manner and scope in which the services have been provided without interruption since January 1, 1981. A local EMS agency ~~which~~ that elects to create one or more exclusive operating areas in the development of a local plan shall develop and submit for approval to the authority, as part of the local EMS plan, its competitive process for selecting providers and determining the scope of their operations. This plan shall include provisions for a competitive process held at periodic intervals. Nothing in this section supersedes Section 1797.201.

(b) Notwithstanding subdivision (a), a city or fire district may create one or more exclusive operating areas within its jurisdictional boundaries in order to improve ambulance response times, increase the number of paramedics available on Advanced Life Support (ALS) ambulances, or improve the manner and scope in which EMS services are provided. A city or fire district that elects to create one or more exclusive operating areas within its jurisdictional boundaries shall develop and submit to the authority, as part of the local EMS plan, its competitive process for selecting the provider of these services and determining the scope of provider operations. This submission shall include provisions for a competitive process held at periodic intervals. No competitive process is required if the city or fire district designates itself as the provider of these services. A local EMS agency shall adjust its local plan to reflect any exclusive operating areas created by a city or fire district pursuant to this subdivision.

SEC. 3. Section 1797.227 is added to the Health and Safety Code, to read:

1797.227. For purposes of this article, "fire district" means a fire protection district or any special district, community services district, or county service area that provides fire protection.

**DRAFT**

ATTACHMENT B

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_ 

**RESOLUTION SUPPORTING AB 2586--EMS/AMBULANCE  
LEGISLATION**

WHEREAS, the Emergency Medical Services Act of 1980 directed for establishment of county emergency medical services agencies; and

WHEREAS, the Act has been interpreted to deny cities the right to determine, oversee, and regulate emergency medical services within their jurisdictions, except for those cities that had been operating such a program prior to 1980; and

WHEREAS, Assembly Bill 2586 proposes to clarify the California Emergency Medical Services Act of 1980 to allow cities to govern their own emergency ambulance services, using city crews or another provider if the system is designed to reduce response times, increase the number of paramedics available, or generally improve the manner and scope of emergency ambulance services.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward does hereby endorse and express its support for AB 2586.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES: