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CALIFORNIA

November 10, 1993

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Law and Legislation Committee
Sacramento, CA 95814

Honorable Members in Session:

SUBJECT: Authorization for Participation by City Staff in
Upcoming Legislative Activities Relating to Emergency
Medical Services (Ambulance Service)

LOCATION AND COUNCIL DISTRICT: City-wide

RECOMMENDATION

This report recommends that the Law and Legislation Committee authorize City staff, including the Fire Chief, the City Attorney, and their designees, to participate in upcoming activities before the State Legislature relating to emergency medical services (ambulance service), with direction to help develop and support legislation which will retain, clarify, and strengthen the City's authority to provide advanced life support and ambulance transportation.

CONTACT PERSON: Rick Martinez, Fire Division Chief, 264-5352

FOR LAW AND LEGISLATION COMMITTEE MEETING OF: November 16, 1993

SUMMARY

The City Council has authorized the Fire Department to add advanced life support and ambulance transportation to the City's first responder emergency medical services program to improve ambulance service to City residents. The County of Sacramento's effort to prevent the City's action through litigation has failed, but it is expected that private ambulance companies and others will actively seek state legislation depriving cities and fire districts of their authority to provide ambulance transportation without County approval. The Fire Chief and the City Attorney recommend that the Law and Legislation Committee authorize City staff to participate in the state legislative process, with direction to pursue efforts to retain, clarify, and strengthen the City's authority to provide advanced life support and ambulance transportation.

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BACKGROUND INFORMATION

The City Council has authorized the Fire Department to add advanced life support and ambulance transportation to the City's first responder emergency medical services (EMS) program, effective January 1, 1994. At the time of this action, the City Attorney advised that the City had the authority to expand its EMS program without County approval. Subsequently, the County of Sacramento filed suit to enjoin the City (as well as certain fire districts in the unincorporated area of the County) from providing ambulance transportation. The trial court has ruled against the County.

During the State Legislature's 1993 session, legislation was introduced which would have deprived cities and fire districts of their authority to provide ambulance transportation without county consent. The legislation was supported by the private ambulance providers and the County Supervisors Association of California. The bill did not pass, but was made a two-year bill to be considered again beginning in January, 1994. In addition, there are clarifications to existing law which would be helpful to cities and districts which do provide ambulance transportation, such as extension of antitrust immunity to cities and districts who may wish to have a private ambulance company provide part of their ambulance service, as will be the case in the City of Sacramento beginning January 1, 1994. Therefore, we anticipate that a bill sponsored by the fire services will also be introduced during the 1994 legislative session.

In order for City staff to participate actively in these activities, the Fire Chief and City Attorney recommend that the Law and Legislation Committee authorize City staff, including the Fire Chief, the City Attorney, and their designees, to participate in upcoming activities before the State Legislature relating to emergency medical services, with direction to support efforts to retain, clarify, and strengthen the City's authority to provide advanced life support and ambulance transportation.

FINANCIAL CONSIDERATIONS

This report has no fiscal implications.

POLICY CONSIDERATIONS

The recommendation contained in this report is consistent with, and in direct support of, the City Council's prior policy determination to authorize the Fire Department to initiate advanced life support and ambulance transport.


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MBE/WBE

This report does not involve procurement of goods or services.

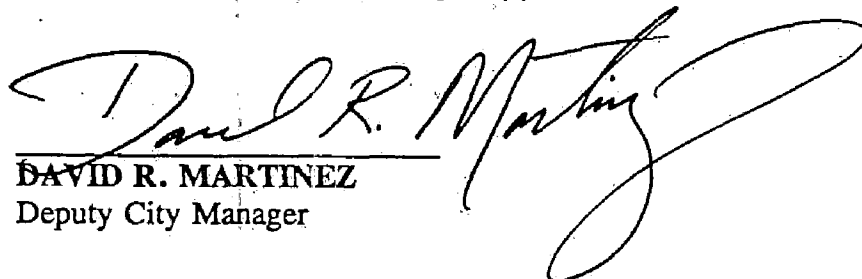
Respectfully submitted,

SHARON SIEDORF CARDENAS

By: 

DIANE B. BALTER
Deputy City Attorney

RECOMMENDATION APPROVED:



DAVID R. MARTINEZ
Deputy City Manager