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Date: March 21, 2023

To: The Honorable Freddie Rodriguez  
Chair, Assembly Emergency Management Committee  
1021 O Street, Suite 5250  
Sacramento, CA 95814

RE: AB 40 (Rodriguez) - Emergency medical services  
As Amended March 15, 2023 – CONCERNS  
Set for hearing March 27, 2023 – Assembly Emergency Management Committee

Dear Assembly Member Rodriguez:

The Emergency Medical Services Administrators Association of California (EMSAAC), representing the interests of all 34 Local EMS Agencies (LEMSAs) covering all 58 counties, is writing to express concerns with AB 40.

LEMSAs ensure high quality, safe, and equitable delivery of EMS care to every one of the California's residents and visitors. While we understand the negative impact of protracted ambulance patient off-load times (APOT) and applaud the author's goal to address this, we are concerned that this bill does not address the core causes of these delays.

APOT delays are caused by: 1) An overuse of the 9-1-1 system; 2) statutory and regulatory barriers to redirecting 9-1-1 patients to alternate destinations where patients can receive more appropriate services; and 3) hospital throughput issues caused by various factors, including staffing issues and lack of beds for special populations (e.g. mental health, skilled nursing facility).

In counties where APOT issues have been successfully addressed, it has been through a collaborative effort by both the LEMSAs and hospitals. AB 40 would require a state level resolution that is unlikely to address local challenges, thus negating the collaborative efforts by both LEMSAs and hospitals.

Lastly, AB 40 prescribes a new process for medical surge plans; however, it does not differentiate how this requirement is different from existing planning activities within the Hospital Preparedness Program (HPP). Currently, counties are required to develop medical surge plans as part of their Hospital Preparedness Program (HPP) local plans. Whether through AB 40 or other means, correcting APOT will need the involvement of all system stakeholders including hospitals, EMS providers, LEMSAs, EMSA, CDPH, behavioral health facilities, skilled nursing facilities, and others.

Should you have any questions, please feel free to contact David Magnino at (916) 208-5985.

Respectfully,

Nick Clay  
President

cc: Honorable Members, Assembly Emergency Management Committee  
Mike Dayton, Chief Consultant, Assembly Emergency Management Committee  
Nick Dokoozlian, Consultant, Assembly Republican Caucus