



April 3, 2019

The Honorable Mike McGuire
Chair, Senate Governance and Finance Committee
State Capitol, Room 5061
Sacramento, CA 95814

RE: SB 438/Hertzberg – Emergency medical services: dispatch
As Amended March 25, 2019 – OPPOSE

Dear Senator McGuire:

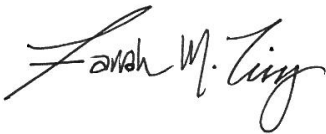
The California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), County Health Executives Association of California (CHEAC), Emergency Medical Services Administrators Association of California (EMSAA) and the Emergency Medical Services Medical Directors Association of California (EMDAC), representing California's 58 counties and the 33 local emergency medical services agencies (LEMSAs) serving them, must regrettably oppose SB 438, authored by Senator Hertzberg. This measure would restrict the use of non-governmental operated public safety answering points (PSAPs), including 9-1-1 EMS dispatch centers, and would circumvent the existing oversight of LEMSA medical directors to ensure the appropriate deployment and use of EMS resources.

SB 438 attempts to overturn 22 years of Supreme Court precedent in *County of San Bernardino v. City of San Bernardino* (1997 15.Cal. 4th 909). The State Supreme Court explained in enacting the EMS Act in 1980, "the Legislature conceived of 'medical control' in fairly expansive terms, encompassing matters directly related to regulating the quality of emergency medical services, including policies and procedures governing dispatch and patient care." Other subjects of medical control include those policies designed to improve the "speed and effectiveness" or emergency response as well as "how the various providers will interact at the emergency scene."

Should SB 438 become law, public safety agencies would be permitted to act outside of the medical control of the LEMSA medical director in the response and delivery of prehospital emergency care. This fragments the EMS system and may result in considerable variation in the

care provided to patients and risks patient safety as deviations from LEMSA policies and procedures may occur without any ability for the LEMSA to issue corrective action. It is for these reasons, we regretfully must oppose SB 438.

Sincerely,



Farrah McDaid Ting
CSAC Legislative Representative



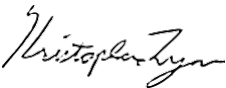
Kelly Brooks-Lindsey
UCC Legislative Representative



Tracy Rhine
RCRC Legislative Advocate



Michelle Gibbons
CHEAC Executive Director



Kris Lyon, MD
EMDAC President



Tammi McConnell
EMSAAC President

cc: The Honorable Robert Hertzberg
The Honorable Susan Eggman
Honorable Members, Senate Governance & Finance Committee
Anton Favorini-Csorba, Consultant, Senate Governance & Finance Committee
Ryan Eisberg, Consultant, Senate Republican Caucus