



## AGENDA STAFF REPORT

ASR Control 20-000941

**MEETING DATE:** 12/08/20  
**LEGAL ENTITY TAKING ACTION:** Board of Supervisors  
**BOARD OF SUPERVISORS DISTRICT(S):** All Districts  
**SUBMITTING AGENCY/DEPARTMENT:** Health Care Agency (Approved)  
**DEPARTMENT CONTACT PERSON(S):** Cheryl Meronk (714) 834-4099  
Steve Thronson (714) 834-4418

**SUBJECT:** Amendments to Ambulance Ordinance

<b>CEO CONCUR</b> Concur	<b>COUNTY COUNSEL REVIEW</b> Approved Ordinance to Form	<b>CLERK OF THE BOARD</b> Discussion 3 Votes Board Majority
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**Budgeted:** N/A      **Current Year Cost:** N/A      **Annual Cost:** N/A

**Staffing Impact:** No      **# of Positions:**      **Sole Source:** N/A

**Current Fiscal Year Revenue:** N/A

**Funding Source:** N/A      **County Audit in last 3 years:** No

**Prior Board Action:** 4/23/1985, #71

### RECOMMENDED ACTION(S):

1. Read title of Ordinance, "An Ordinance of the County of Orange, California amending sections 4-9-1 through 4-9-17 of the Codified Ordinances of the County of Orange Regarding Ambulance Services."
2. Order further reading of Ordinance be waived.
3. Direct Ordinance be placed on the agenda for the next regularly scheduled Board of Supervisors meeting for adoption.
4. Consider the matter and adopt the Ordinance at the next regularly scheduled meeting.

### SUMMARY:

Adoption of An Ordinance of the County of Orange, California amending sections 4-9-1 through 4-9-17 of the Codified Ordinance of the County of Orange Regarding Ambulance Services will establish updated minimum ambulance license requirements and the competitive process required for creation of Exclusive Operating Areas for 911 emergency ambulance transport.

## **BACKGROUND INFORMATION:**

On April 23, 1985, the Board of Supervisors (Board) approved Ordinance 3517 to regulate the operation of ambulances within the County's unincorporated areas and those cities served by the Orange County Fire Department. The Ordinance was drafted based on the following principles: de-regulation of non-emergency services; setting of maximum rates for emergency ambulance transport; and establishment of exclusive operating areas for emergency ambulance transport through a competitive process. Most Orange County cities have adopted the County's Ordinance and integrated it into their city municipal codes with minimal change, if any.

The County's emergency medical services system has evolved over the past 35 years since the Ordinance's adoption in 1985, necessitating appropriate changes to the County's Ambulance Ordinance. The proposed amendments for the Board's consideration update the Ambulance Ordinance to reflect the statutory authority and framework pertaining to provision of prehospital emergency medical care and transport, current best practices for ambulance services such as local accreditation for EMS personnel and the February 2014 ruling from the State of California Emergency Medical Services Authority (EMSA) directing the Health Care Agency (HCA) to conduct the competitive procurement process regarding creation of Exclusive Operating Areas for emergency ambulance transport. The proposed changes to the current Ordinance include among other things, the following:

- Elimination of references to obsolete terms (e.g., Orange County Fire Department) and provision of an updated set of definitions
- Strengthened license application review process
- Simplified fair disciplinary procedures for denial, suspension and revocation of ambulance license
- Clarified and enhanced personnel standards consistent with Health and Safety Code and California Code of Regulations, Title 22 provisions pertaining to prehospital emergency care and ambulance transport
- Setting forth the competitive procurement process required for establishing Exclusive Operating Areas (i.e., exclusive contracts) for emergency ambulance transport consistent with Health and Safety Code Section 1797.224

HCA solicited public comment from the emergency medical services system stakeholders and the Emergency Medical Care Committee (EMCC). Public comments were received from October 9, 2020, through October 30, 2020. EMCC's Transportation Advisory Committee has intermittently worked on an ordinance update for the past ten years and much of its work is reflected in the proposed amendments for the Board's consideration. In 2020, the Ambulance Ordinance Task Group re-convened, completing a comprehensive review of all amendments and full endorsement of the proposed changes to the County's Ordinance (See Attachment E).

### Compliance with CEQA

This action is not a project within the meaning of CEQA Guidelines Section 15378 and is therefore not subject to CEQA, since it does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The approval of this agenda item does not commit the County to a definite course of action in regard to a project since it involves amendments to the Orange County Codified Ordinance specific to ambulance license requirements and process required for creation of Exclusive Operating Areas for 911 emergency

ambulance transport. This proposed activity is therefore not subject to CEQA. Any individual, specific work authorized pursuant to this contract will be reviewed for compliance with CEQA.

**FINANCIAL IMPACT:**

N/A

**STAFFING IMPACT:**

N/A

**ATTACHMENT(S):**

Attachment A - Proposed Amendments to Orange County Codified Ordinance, Sections 4-9-1 through 4-9-17

Attachment B - Current Version of Orange County Codified Ordinance, Sections 4-9-1 through 4-9-17

Attachment C - Redline Version of Current Orange County Codified Ordinance, Sections 4-9-1 through 4-9-17

Attachment D - Health and Safety Code Section 1797.224

Attachment E - Letter of Support, Ambulance Association of Orange County