



June 3, 2024

Assemblymember Steve Bennett
1021 O Street, Suite 4710
Sacramento, CA 95814

**Re: AB 1168 (Bennett): Emergency medical services (EMS): prehospital EMS
As Proposed to be Amended – OPPOSE**

Dear Assemblymember Bennett:

On behalf of the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), the County Health Executives Association of California (CHEAC), the Health Officers Association of California (HOAC) and the Emergency Medical Services Administrator's Association of California, we write in OPPOSITION to your bill, AB 1168. AB 1168 as proposed to be amended seeks to overturn an extensive statutory and case law record that has repeatedly affirmed county responsibility for the administration of emergency medical services and with that, the flexibility to design systems to equitably serve residents throughout their jurisdiction.

With the passage of the Emergency Medical Services Act in 1980, California created a framework for a two-tiered system of EMS governance through both the state Emergency Medical Services Authority (EMSA) and local emergency medical services agencies (LEMSAs). Counties are required by the EMS Act to create a local EMS system that is timely, safe, and equitable for all residents. To do so, counties honor .201 authorities and contract with both public and private agencies to ensure coverage of underserved areas regardless of the challenges inherent in providing uniform services throughout geographically diverse areas.

AB 1168 seeks to abrogate unsuccessful legal action that attempted to argue an agency's .201 authorities – that is, the regulation that allows eligible city and fire districts which have continuously served a defined area since the 1980 EMS Act to administer EMS including providing their own or contracted non-exclusive ambulance service. In the case of the City of Oxnard v. County of Ventura, the court determined that their case “would disrupt the status quo, impermissibly broaden Health and Safety Code section 1797.201’s exception in a fashion that would swallow the EMS Act itself, **fragment the long-integrated emergency medical system**, and undermine the purposes of the EMS Act.”

AB 1168, as noted, opens the door to undo years of litigation and agreements between cities and counties regarding the provision of emergency medical services and as drafted causes a great deal of uncertainty for counties who are the responsible local government entity for providing equitable

emergency medical services for all of their residents. Unfortunately, this measure creates a system where there will be haves and have nots – well-resourced cities or districts will be able to provide robust services whereas disadvantaged communities, with a less robust tax base, will have a patchwork of providers – the very problem the EMS Act, passed over 40 years ago, intended to resolve.

Furthermore, we support the current EMSA work to promulgate clear and collaborative regulations to address these important EMS system design matters (specifically, CCR, Title 22, Chapter 1 – previously referred to as ‘Chapter 13’ regulations).

Our respective members are deeply alarmed by AB 1168 and the effort by the bill’s sponsors to dismantle state statute, regulations, and an extensive body of case law regarding the local oversight and provision of emergency medical services in California. This bill creates fragmented and inequitable EMS medical services statewide. For these reasons, the undersigned representatives of our organizations strongly OPPOSE AB 1168.

Thank you,



Jolie Onodera
Senior Legislative Advocate
California State Association of
Counties (CSAC)



Michelle Gibbons
Executive Director
County Health Executives Association of
California (CHEAC)



Kelly Brooks-Lindsey
Urban Counties of California (UCC)



Kat DeBurgh
Executive Director Health Officers Association of
California (HOAC)



Sarah Dukett
Legislative Advocate
Rural County Representatives of California
(RCRC)



John Poland
Legislative Chair
Emergency Medical Services Administrator’s
Association of California (EMSAAC)

cc: The Honorable Steve Bennett, Member, California State Assembly
Honorable Members, Senate Health Committee
Vince Marchand, Principal Consultant, Senate Health Committee
Tim Conaghan, Policy Consultant, Senate Republican Caucus
Joe Parra, Policy Consultant, Senate Republican Caucus
Angela Pontes, Deputy Legislative Secretary, Office of Governor Newsom
Samantha Lui, Deputy Secretary, Legislative Affairs, CalHHS
Brendan McCarthy, Deputy Secretary for Program and Fiscal Affairs, CalHHS
Julie Souliere, Assistant Secretary, Office of Program and Fiscal Affairs, CalHHS