**DATE:** March 18, 2015

**TO:** Commission on EMS

**FROM:** Howard Backer, MD, MPH, FACEP

Director

**PREPARED BY:** Sean Trask, Chief

EMS Personnel Division

**SUBJECT:** Commission on EMS Bylaws

**RECOMMENDED ACTION:**

Approve the Proposed Changes to the Commission on EMS Bylaws.

**FISCAL IMPACT:**

In the event the Commission calls a special or emergency meeting, there will be costs associated with travel reimbursement for commissioners.

**DISCUSSION:**

The EMS Authority has prepared proposed amendments to the Commission on EMS Bylaws (Bylaws). The proposed changes are designated with strikeouts for deleted text and underlines for new text. The proposed amendments are in response to the direction of the Commission on EMS at the December 3, 2014 Commission meeting to prepare emergency and non-emergency regulations to delegate the Commission’s authority to hear appeals of the EMS Authority’s decision on a local EMS plan to the Office of Administrative Hearings.

The current version of the Bylaws, dated September 2010, lack the details of the appeal process and are in need of updates for consistency with the Bagley-Keene Open Meeting Act.

In order for the Commission to delegate it’s authority to hear local EMS plan appeals, Bylaws need to be amended and adopted by the Commission.

In addition to the delegation of the appeal authority, other sections of the bylaws contain proposed amendments for consistency with the Bagley-Keene Open Meeting Act, those amendments are:

1. Pages 1 & 2
   1. Change the effective date.
   2. Item II Appeal Functions – amended old language and inserted new appeal process consistent with the proposed appeal regulations.
2. Page 4, Item I Officers – Delete the closed ballot language. This is inconsistent with the Open Meeting Law. Clarified that the Chair and Vice-chair shall not serve in those positions for more than two consecutive one-year terms.
3. Page 5, Item II Office Vacancies – Struck references to written ballots. This is inconsistent with the Open Meeting Law.
4. Page 6, Clarified that the Secretary shall take recorded minutes.
5. Page 6, Administrative Committee Membership – Struck references to closed ballots. This is inconsistent with the Open Meeting Law.
6. Page 6, Regular Meetings, clarified that exceptions to the open meeting law are pursuant to the Government Code.
7. Page 7, Regular Meetings:
   1. Replaced seven day notice period with ten day notice period to notice the Commissioners of the regular meetings.
   2. Struck “Items for discussion may be added at each meeting”. Items for discussion need to be contained in the agenda that is noticed at least 10-days in advance of the meeting.
8. Page 7, Notification of Meetings – replace one week with ten day notice for consistency with the Open Meeting Law.
9. Starting on Page 7, Special Meeting requirements were added that are consistent with the Open Meeting Law. Special meetings may be called by the Chair of the Commission or a two-thirds majority vote of the Commission. Special meetings may be called when meeting the 10-day notice requirement is a hardship and the purposes for a special meeting are limited to eight items listed in the bylaws.
10. Page 8, Emergency Meetings, the word “general” was struck because it is unnecessary in reference to the agenda being sent to the commissioners and interested parties.
11. Page 9, Emergency Meetings, Items b and c are struck because these definitions of an emergency fall under the Special Meeting requirements.
12. Page 10, Committees, Item I, the word “the” was added for clarification.