

**California Code of Regulations**  
**Title 22. Social Security**  
**Division 9. Prehospital Emergency Medical Services**  
**Chapter 6. Process for EMT and Advanced EMT Disciplinary Action**

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**ARTICLE 1. DEFINITIONS**

**§ 100201. Certificate.**

“Certificate” means a valid Emergency Medical Technician (EMT) or Advanced EMT certificate issued pursuant to Division 2.5.

Note: Authority cited: Sections 1797.62, 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.80, 1797.82, 1797.184, 1797.210, 1797.211, 1797.216 and 1798.200, Health and Safety Code.

**§ 100202. Certifying Entity.**

“Certifying entity,” as used in this Chapter, means a public safety agency or the office of the State Fire Marshal if the agency has a training program for EMT personnel that is approved pursuant to the standards developed pursuant to Section 1797.109 of the Health and Safety Code, or the medical director of the local EMS agency (LEMSA).

Note: Authority cited: Sections 1797.107, 1797.176, 1797.210, 1797.216 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.184, 1797.211 and 1798.204, Health and Safety Code.

**§ 100202.1. Disciplinary Cause.**

For the purposes of this Chapter, “Disciplinary Cause” means an act that is substantially related to the qualifications, functions, and duties of an EMT and/or Advanced EMT and is evidence of a threat to the public health and safety, per Health and Safety Code Section 1798.200.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184, 1797.210, 1797.216 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62 and 1798.204, Health and Safety Code.

**§ 100203. Division 2.5.**

“Division 2.5” means Division 2.5 of the Health and Safety Code, the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Section 1798.204, Health and Safety Code.

### **§ 100204. Medical Director.**

For the purposes of this Chapter, “medical director” means the medical director of the LEMSA, pursuant to Section 1797.202(a) of the Health and Safety Code.

Note: Authority cited: Sections 1797.62, 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Section 1797.202, Health and Safety Code.

### **§ 100205. Multiple Certificate Holder.**

“Multiple certificate holder” means a person who holds an EMT and Advanced EMT or EMT-II certificate issued pursuant to Division 2.5.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.80, 1797.82, 1797.210, 1797.216 and 1798.204, Health and Safety Code.

### **§ 100206. Relevant Employer(s).**

“Relevant employer(s)” means those ambulance services permitted by the Department of the California Highway Patrol or a public safety agency, that the certificate holder works for or was working for at the time of the incident under review, as an EMT or Advanced EMT either as a paid employee or a volunteer.

Note: Authority cited: Sections 1797.107, 179.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1798.200 and 1798.204, Health and Safety Code.

#### **§ 100206.1. Discipline.**

“Discipline” means either a disciplinary plan taken by a relevant employer pursuant to Section 100206.2 of this Chapter or certification action taken by a medical director pursuant to Section 100204 of this Chapter, or both a disciplinary plan and certification action.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1798.200 and 1798.204, Health and Safety Code.

#### **§ 100206.2. Disciplinary Plan.**

“Disciplinary Plan” means a written plan of action that can be taken by a relevant employer as a consequence of any action listed in Section 1798.200(c).

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1798.200 and 1798.204, Health and Safety Code.

### **§ 100206.3. Certification Action.**

“Certification Action” means those actions that may be taken by a medical director that include denial, suspension, revocation of a certificate, or placing a certificate holder on probation.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.204 and 1798.200, Health and Safety Code.

### **§ 100206.4. Model Disciplinary Orders.**

“Model Disciplinary Orders” (MDOs) means the “RECOMMENDED GUIDELINES FOR DISCIPLINARY ORDERS AND CONDITIONS OF PROBATION FOR EMT (BASIC) AND ADVANCED EMT” (EMSA document #134, 4/1/2010) which were developed to provide consistent and equitable discipline in cases dealing with disciplinary cause.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1798.200 and 1798.204, Health and Safety Code.

## **ARTICLE 2. GENERAL PROVISIONS**

### **§ 100207. Application of Chapter.**

(a) The certifying entity, relevant employer, or LEMSA shall adhere to the provisions of this Chapter, in applicable situations, when investigating or implementing any actions for disciplinary cause.

(b) In order to take disciplinary or certification action on an EMT, Advanced EMT, or EMT-II, it must first be determined that a disciplinary cause has occurred by the applicant or certificate holder and there exists a threat to the public health and safety, as evidenced by the occurrence of any of the actions listed in Section 1798.200(c) of the Health and Safety Code by the applicant or certificate holder.

(c) An application for certification or recertification shall be denied without prejudice and does not require an administrative hearing, when an applicant does not meet the requirements for certification or recertification, including but not limited to, failure to pass a certification or recertification examination, lack of sufficient continuing education or documentation of a completed refresher course, failure to furnish additional information or documents requested by the certifying entity, or failure to pay any required fees. The denial shall be in effect until all requirements for certification or recertification are met. If a certificate expires before recertification requirements are met, the certificate shall be

deemed a lapsed certificate and subject to the provisions pertaining to lapsed certificates.

(d) Nothing in this chapter shall be construed to limit the authority of a base hospital medical director to provide supervision and medical control for prehospital emergency medical care personnel as specified in local medical control policies and procedures developed pursuant to requirements of Division 2.5 and Chapters 3 and 4 of this division for medical control and supervision.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.176, 1797.202, 1797.210, 1797.216, 1797.220, 1798, 1798.100, 1798.102, 1798.200 and 1798.204, Health and Safety Code.

**§ 100208. Substantial Relationship Criteria for the Denial, Placement on Probation, Suspension, or Revocation of a Certificate.**

(a) For the purposes of denial, placement on probation, suspension, or revocation of a certificate, pursuant to Section 1798.200(c) of the Health and Safety Code, a crime or act shall be considered to be substantially related to the qualifications, functions, or duties of a certificate holder if to a substantial degree it evidences unfitness of a certificate holder to perform the functions authorized by the certificate in that it poses a threat to the public health and safety.

(b) For the purposes of a crime, the record of conviction or a certified copy of the record shall be conclusive evidence of such conviction.

(1) "Crime" means any act in violation of the penal laws of this state, any other state, or federal laws. This also means violation(s) of any statute which impose criminal penalties for such violations.

(2) "Conviction" means the final judgment on a verdict of finding of guilty, a plea of guilty, or a plea of nolo contendere.

(c) The LEMSA, when determining the certification action to be imposed or reviewing a petition for reinstatement or reduction of penalty under Section 11522 of the Government Code, shall evaluate the rehabilitation of the applicant and present eligibility for certification of the respondent. When the certification action warranted is probation, denial, suspension, or revocation the following factors may be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration;
2. Actual or potential harm to the public;
3. Actual or potential harm to any patient;
4. Prior disciplinary record;

5. Prior warnings on record or prior remediation;
6. Number and/or variety of current violations;
7. Aggravating evidence;
8. Mitigating evidence;
9. Rehabilitation evidence;
10. In the case of a criminal conviction, compliance with terms of the sentence and/or court-ordered probation;
11. Overall criminal record;
12. Time that has elapsed since the act(s) or offense(s) occurred;
13. If applicable, evidence of expungement proceedings pursuant to Penal Code 1203.4.
14. In determining appropriate certification disciplinary action, the LEMSA medical director may give credit for prior disciplinary action imposed by the respondent's employer.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184, 1798.200 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.176, 1797.210, 1797.216, 1797.220 and 1798.200, Health and Safety Code.

#### **§ 100208.1. Responsibilities of Relevant Employer.**

Under the provisions of this Chapter, relevant employers:

- (a) May conduct investigations, according to the requirements of this Chapter, to determine disciplinary cause.
- (b) Upon determination of disciplinary cause, the relevant employer may develop and implement, a disciplinary plan, in accordance with the MDOs.
  - (1) The relevant employer shall submit that disciplinary plan, along with the relevant findings of the investigation related to disciplinary cause to the LEMSA that issued the certificate, within three (3) working days of adoption of the disciplinary plan. In the case where the certificate was issued by a non-LEMSA certifying entity, the disciplinary plan shall be submitted to the LEMSA that has jurisdiction in the county in which the headquarters of the certifying entity is located.

(2) The employer's disciplinary plan may include a recommendation that the medical director consider taking action against the holder's certificate to include denial of certification, suspension of certification, revocation of certification, or placing a certificate on probation.

(c) Shall notify the medical director that has jurisdiction in the county in which the alleged action occurred within three (3) working days after an allegation has been validated as potential for disciplinary cause.

(d) Shall notify the medical director that has jurisdiction in the county in which the alleged action occurred within three (3) working days of the occurrence of any of following:

(1) The EMT or Advanced EMT is terminated or suspended for a disciplinary cause,

(2) The EMT or Advanced EMT resigns or retires following notification of an impending investigation based upon evidence that would indicate the existence of a disciplinary cause, or

(3) The EMT or Advanced EMT is removed from EMT or Advanced EMT - related duties for a disciplinary cause after the completion of the employer's investigation.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184, 1798.200 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.176, 1797.200, 1797.210, 1797.211, 1797.220 and 1798.200, Health and Safety Code.

#### **§ 100209. Jurisdiction of the Medical Director.**

(a) The medical director who issued the certificate, or in the case where the certificate was issued by a non-LEMSA certifying entity, the LEMSA medical director that has jurisdiction in the county in which the headquarters of the certifying entity is located, shall conduct investigations to validate allegations for disciplinary cause when the certificate holder is not an employee of a relevant employer or the relevant employer does not conduct an investigation. Upon determination of disciplinary cause, the medical director may take certification action as necessary against an EMT or Advanced EMT certificate.

(b) The medical director may, upon determination of disciplinary cause and according to the provisions of this Chapter, take certification action against an EMT or Advanced EMT to deny, suspend, or revoke, or place a certificate holder on probation, upon the findings by the medical director of the occurrence of any of the actions listed in Health and Safety Code, Section 1798.200(c) and for which any of the following conditions are true:

(1) The relevant employer, after conducting an investigation, failed to impose discipline for the conduct under investigation, or the medical director makes a determination that

discipline imposed by the relevant employer was not in accordance with the MDOs and the conduct of the certificate holder constitutes grounds for certification action.

(2) The medical director determines, following an investigation conducted in accordance with this Chapter, that the conduct requires certification action.

(c) The medical director, after consultation with the relevant employer or without consultation when no relevant employer exists, may temporarily suspend, prior to a hearing, an EMT or Advanced EMT certificate upon a determination of the following:

(1) The certificate holder has engaged in acts or omissions that constitute grounds for revocation of the EMT or Advanced EMT certificate; and

(2) Permitting the certificate holder to continue to engage in certified activity without restriction poses an imminent threat to the public health and safety.

(d) If the medical director takes any certification action the medical director shall notify the Authority of the findings of the investigation and the certification action taken by using Form EMSA-CRI (10/01) through June 30, 2010. Commencing July 1, 2010 and thereafter, this information shall be entered directly into the Central Registry by the LEMSA taking certification action.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.90, 1797.117, 1797.118, 1797.202, 1797.216, 1797.217, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

### ARTICLE 3. EVALUATION AND INVESTIGATION

#### **§ 100210. Evaluation of Information.**

(a) A relevant employer who receives an allegation of conduct listed in Section 1798.200(c) of the Health and Safety Code against an EMT or Advanced EMT and once the allegation is validated, shall notify the medical director of the LEMSA that has jurisdiction in the county in which the alleged violation occurred within three (3) working days, of the EMT's or Advanced EMT's name, certification number, and the allegation(s).

(b) A LEMSA that receives any complaint against an EMT or Advanced EMT shall forward the original complaint and any supporting documentation to the relevant employer for investigation pursuant to subsection (a) of this section, if there is a relevant employer, within three (3) working days of receipt of the information. If there is no relevant employer or the relevant employer does not wish to investigate the complaint, the medical director shall evaluate the information received from a credible source, including but not limited to, information obtained from an application, medical audit, or public complaint, alleging or indicating the possibility of a threat to the public health and safety by the action of an applicant for, or holder of, a certificate issued pursuant to Division 2.5.

(c) The relevant employer or medical director shall conduct an investigation of the allegations in accordance with the provisions of this Chapter, if warranted.

(d) Statewide public safety agencies shall provide the Authority with current relevant employer contact information for their individual agencies.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.90, 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

### **§ 100211. Investigations Involving Firefighters.**

(a) The rights and protections described in Chapter 9.6, Division 4 of Title 1 of the Government Code shall only apply to a firefighter during events and circumstances involving the performance of his or her official duties.

(b) All investigations involving EMT s, Advanced EMT's, and EMT-IIs who are employed by a public safety agency as a firefighter shall be conducted in accordance with Chapter 9.6, Division 4 of Title 1 of the Government Code, Section 3250 et. seq.

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code; and Sections 3250 and 27727, Government Code. Reference: Sections 1797.90, 1797.176, 1797.202, 1797.220 and 1798.204, Health and Safety Code.

#### **§ 100211.1. Due Process.**

The certification action process shall be in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

Note: Authority cited: Sections: 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections: 1798.200 and 1798.204, Health and Safety Code.

## **ARTICLE 4. DETERMINATION AND NOTIFICATION OF ACTION**

### **§ 100212. Determination of Certification Action.**

(a) certification action relative to the individual's certificate(s) shall be taken as a result of the findings of the investigation.

(b) Upon determining the disciplinary or certification action to be taken as authorized by this Chapter, the relevant employer or medical director shall complete and place in the personnel file or any other file used for any personnel purposes by the relevant employer or LEMSA, a statement certifying the decision made and the date the decision was made. The decision must contain findings of fact and a determination of issues, together with the disciplinary plan and the date the disciplinary plan shall take effect.



(c) In the case of a temporary suspension order pursuant to Section 100209 (c) of this Chapter, it shall take effect upon the date the notice required by Section 100213 of this Chapter is mailed to the certificate holder.

(d) For all other certification actions, the effective date shall be thirty days from the date the notice is mailed to the applicant for, or holder of, a certificate unless another time is specified or an appeal is made.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.62, 1797.176, 1797.202, 1797.211, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

### **§ 100213. Temporary Suspension Order.**

(a) A medical director may temporarily suspend a certificate prior to hearing if, the certificate holder has engaged in acts or omissions that constitute grounds for denial or revocation according to Section 100214.3 (c) and (d) of this Chapter and if in the opinion of the medical director permitting the certificate holder to continue to engage in certified activity would pose an imminent threat to the public health and safety.

(b) Prior to, or concurrent with, initiation of a temporary suspension order of a certificate pending hearing, the medical director shall consult with the relevant employer of the certificate holder.

(c) The notice of temporary suspension pending hearing shall be served by registered mail or by personal service to the certificate holder immediately, but no longer than three (3) working days from making the decision to issue the temporary suspension. The notice shall include the allegations that allowing the certificate holder to continue to engage in certified activities would pose an imminent threat to the public health and safety.

(d) Within three (3) working days of the initiation of the temporary suspension by the LEMSA, the LEMSA and relevant employer shall jointly investigate the allegation in order for the LEMSA to make a determination of the continuation of the temporary suspension.

(1) All investigatory information, not otherwise protected by the law, held by the LEMSA and the relevant employer shall be shared between the parties via facsimile transmission or overnight mail relative to the decision to temporarily suspend.

(2) The LEMSA shall serve within fifteen (15) calendar days an accusation pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code (Administrative Procedures Act).

(3) If the certificate holder files a Notice of Defense, the administrative hearing shall be held within thirty (30) calendar days of the LEMSA's receipt of the Notice of Defense.

(4) The temporary suspension order shall be deemed vacated if the LEMSA fails to serve an accusation within fifteen (15) calendar days or fails to make a final determination on the merits within fifteen (15) calendar days after the Administrative Law Judge (ALJ) renders a proposed decision.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.90, 1797.160, 1797.176, 1797.200, 1797.202, 1797.211, 1797.220, 1798, 1798.100, 1798.200 and 1798.204, Health and Safety Code.

### **§ 100214. Final Determination of Certification Action by the Medical Director.**

Upon determination of certification action following an investigation, and appeal of certification action pursuant to Section 100211.1 of this Chapter, if the respondent so chooses, the medical director may take the following final actions on an EMT or Advanced EMT certificate:

- (a) Place the certificate holder on probation
- (b) Suspension
- (c) Denial
- (d) Revocation

Note: Authority cited: Section 1797.184, Health and Safety Code. Reference: Section 1798.200, Health and Safety Code.

#### **§ 100214.1. Placement of a Certificate Holder on Probation.**

Pursuant to Section 100207, the medical director may place a certificate holder on probation any time an infraction or performance deficiency occurs which indicates a need to monitor the certificate holder's conduct in the EMS system in order to protect the public health and safety. The term of the probation and any conditions shall be in accordance with MDOs established by the Authority. The medical director that placed the certificate holder on probation may revoke the EMT or Advanced EMT certificate if the certificate holder fails to successfully complete the terms of probation.

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.176, 1797.184, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

#### **§ 100214.2. Suspension of a Certificate.**

(a) The medical director may suspend an individual's EMT or Advanced EMT certificate for a specified period of time for disciplinary cause in order to protect the public health and safety.

(b) The term of the suspension and any conditions for reinstatement, shall be in accordance with MDOs established by the Authority.

(c) Upon the expiration of the term of suspension, the individual's certificate shall be reinstated only when all conditions for reinstatement have been met. The medical director shall continue the suspension until all conditions for reinstatement have been met.

(d) If the suspension period will run past the expiration date of the certificate, the EMT or Advanced EMT shall meet the recertification requirements for certificate renewal prior to the expiration date of the certificate.

Note: Authority cited: Sections 1797.107, 1797.175, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

### **§ 100214.3. Denial or Revocation of a Certificate.**

(a) A certifying entity, that is not a LEMSA, shall advise a certification or recertification applicant whose conduct indicates a potential for disciplinary cause, based on an investigation by the certifying entity prompted by a DOJ and/or FBI CORI, pursuant to Section 100210(a) of this Chapter, to apply to a LEMSA for certification or recertification.

(b) The medical director may deny or revoke any EMT or Advanced EMT certificate for disciplinary cause that have been investigated and verified by application of this Chapter.

(c) The medical director shall deny or revoke an EMT or Advanced EMT certificate if any of the following apply to the applicant:

(1) Has committed any sexually related offense specified under Section 290 of the Penal Code.

(2) Has been convicted of murder, attempted murder, or murder for hire.

(3) Has been convicted of two (2) or more felonies.

(4) Is on parole or probation for any felony.

(5) Has been convicted and released from incarceration for said offense during the preceding fifteen (15) years for the crime of manslaughter or involuntary manslaughter.

(6) Has been convicted and released from incarceration for said offense during the preceding ten (10) years for any offense punishable as a felony.

(7) Has been convicted of two (2) or more misdemeanors within the preceding five (5) years for any offense relating to the use, sale, possession, or transportation of narcotics or addictive or dangerous drugs.

(8) Has been convicted of two (2) or more misdemeanors within the preceding five (5) years for any offense relating to force, threat, violence, or intimidation.

(9) Has been convicted within the preceding five (5) years of any theft related misdemeanor.

(d) The medical director may deny or revoke an EMT or Advanced EMT certificate if any of the following apply to the applicant:

(1) Has committed any act involving fraud or intentional dishonesty for personal gain within the preceding seven (7) years.

(2) Is required to register pursuant to Section 11590 of the Health and Safety Code.

(e) Subsection (a) and (b) shall not apply to convictions that have been pardoned by the Governor, and shall only apply to convictions where the applicant/certificate holder was prosecuted as an adult. Equivalent convictions from other states shall apply to the type of offenses listed in (c) and (d). As used in this Section, "felony" or "offense punishable as a felony" refers to an offense for which the law prescribes imprisonment in the state prison as either an alternative or the sole penalty, regardless of the sentence the particular defendant received.

(f) This Section shall not apply to those EMT's, or EMT-Its who obtain their California certificate prior to the effective date of this Section; unless:

(1) The certificate holder is convicted of any misdemeanor or felony after the effective date of this Section.

(2) The certificate holder committed any sexually related offense specified under Section 290 of the Penal Code.

(3) The certificate holder failed to disclose to the certifying entity any prior convictions when completing his/her application for initial EMT or Advanced EMT certification or certification renewal.

(g) Nothing in this Section shall negate an individual's right to appeal a denial of an EMT or Advanced EMT certificate pursuant to this Chapter.

(h) Certification action by a medical director shall be valid statewide and honored by all certifying entities for a period of at least twelve (12) months from the effective date of the certification action. An EMT or Advanced EMT whose application was denied or an EMT or Advanced EMT whose certification was revoked by a medical director shall not be eligible for EMT or Advanced EMT application by any other certifying entity for a period of at least twelve (12) months from the effective date of the certification action. EMT's or Advanced EMT's whose certification is placed on probation must complete their probationary requirements with the LEMSA that imposed the probation.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code; and Section 11522, Government Code. Reference: Sections 1797.61, 1797.62, 1797.118, 1797.176, 1797.202, 1797.216, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

### **§ 100215. Notification of Final Decision of Certification Action.**

(a) For the final decision of certification action, the medical director shall notify the applicant/certificate holder and his/her relevant employer(s) of the certification action within ten (10) working days after making the final determination.

(b) The notification of final decision shall be served by registered mail or personal service and shall include the following information:

(1) The specific allegations or evidence which resulted in the certification action;

(2) The certification action(s) to be taken, and the effective date(s) of the certification action(s), including the duration of the action(s);

(3) Which certificate(s) the certification action applies to in cases of holders of multiple certificates;

(4) A statement that the certificate holder must report the certification action within ten (10) working days to any other LEMSA and relevant employer in whose jurisdiction s/he uses the certificate;

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.61, 1797.160, 1797.176, 1797.202, 1797.217, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

## **ARTICLE 5. LOCAL RESPONSIBILITIES**

### **§ 100216. Development of Local Policies and Procedures.**

Each Relevant Employer, Certifying Entity and LEMSA shall develop and adopt policies and procedures for local implementation of the provisions of this Chapter. All local policies and procedures so adopted must be in accordance with these provisions and must address all of the requirements of this Chapter, as applicable.

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798. 1798.200 and 1798.204, Health and Safety Code.

**§ 100217. Reimbursement for Administrative Law Judge Costs.**

(a) Actual fees paid by a LEMSA for the services of an ALJ, who is on the staff of the Office of Administrative Hearings, for disciplinary action appeals as required by this Chapter and in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code are eligible for reimbursement from the Emergency Medical Technician Certification Fund.

(1) Each LEMSA that has paid for the services of an ALJ under this section during the preceding fiscal year shall submit, to the Authority, copies of invoices for fees charged and proof of the actual amount paid according to the provisions of (a)(2)(A) of this section.

(2) The Authority shall reimburse the LEMSAs no more than the actual payment made for the ALJ in accordance with the following:

(A) Invoices for fees incurred between July 1 and June 30 shall be due at the Authority no later than August 31.

(B) The LEMSA has provided evidence of the costs to include an invoice, payment, the name and any other required identifying information for the emergency medical technician(s) whose disciplinary hearing was included in the costs.

(C) If there are insufficient monies available to reimburse each LEMSA the entire actual amount expended for ALJ services, then reimbursements will be allocated proportionately among all the LEMSAs for actual expenditures for ALJ services within that fiscal year.

Note: Authority cited: Sections 1797.107, 1797.176, 1797.184 and 1798.204, Health and Safety Code. Reference: Sections 1797.62, 1797.176, 1797.202, 1797.216, 1797.217, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100218. Development of Local Policies and Procedures. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798. 1798.200 and 1798.204, Health and Safety Code.

**§ 100219. Evaluation of Information. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.90, 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100220. Immediate Suspension. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.90, 1797.160, 1797.176, 1797.202, 1797.220, 1798, 1798.2, 1798.100, 1798.102, 1798.200 and 1798.204, Health and Safety Code.

**§ 100221. Notification of Formal Investigation. [Repealed]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.90, 1797.160, 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100222. Use of an Investigative Review Panel (IRP) When Suspension, Revocation, Denial, or Denial of Renewal of a Certificate May Occur. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.90, 1797.160, 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100223. Determination of Appropriate Action by Medical Director. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100224. Placement of a Certificate Holder on Probation. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100225. Suspension of a Prehospital Emergency Medical Care Certificate. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.175, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100226. Revocation, Denial, or Denial of Renewal of a Prehospital Emergency Medical Care Certificate. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100227. Notification of Action. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.160, 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.

**§ 100228. Development of Local Policies and Procedures. [Renumbered]**

Note: Authority cited: Sections 1797.107, 1797.176 and 1798.204, Health and Safety Code. Reference: Sections 1797.176, 1797.202, 1797.220, 1798, 1798.200 and 1798.204, Health and Safety Code.