

TITLE 22.
EMERGENCY MEDICAL SERVICES AUTHORITY

NOTICE IS HEREBY GIVEN that the Emergency Medical Services Authority (EMSA) is proposing to take the action described in the Informative Digest. Written comments, including those sent by mail, facsimile, or e-mail to addresses listed under Ryan McElhinney in this Notice, must be received by EMSA at its office by midnight on June 18th, 2024. The Board has not scheduled a public hearing on this proposed action. However, the EMSA will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period. EMSA may thereafter adopt the proposal substantially as described below or may modify the proposal if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: The Health and Safety Code Section 1797.107 authorizes EMSA to adopt the proposed regulations, which would implement, interpret, clarify, or make specific Section 1797.112 of the Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act (Health and Safety Code Division 2.5) created EMSA and outlined its authorities, duties, and responsibilities. Included in the act are the authority and procedures for promulgating regulation (Health and Safety Code section 1797.107), Health and Safety Code section 1797.112 creates the EMS personnel fund (Fund) along with requirement of the fund, which is maintained by EMSA.

EMSA is part of a two-tier system overseeing Emergency Medical Services. EMSA serves as the agency that sets statewide EMS system operation, data collection, communications, manpower, and training standards and a Local Emergency Medical Service Agency (LEMSA) provides EMS system oversight at the local level. Today, there are 34 LEMSAs in California. Most LEMSAs serve a single county, but other LEMSAs serve multiple counties.

Over the course of 30 years, Title 22 of the California has been continuously amended to reflect new technologies, policy priorities and budgetary items. The

Emergency Medical Services Authority has been diligent in updating regulations that impact how patients, professionals and other participants in the emergency medical system interact with each other.

The EMS Commission and EMSA team members have recognized that there is a need to reorganize the regulations to be more usable by all parties within the EMS system. Various sections, articles, or chapters within the current text of Title 22 are out of place, not connected with each other or may be duplicative. This has resulted in a regulatory framework that is both confusing for stakeholders and problematic for patient care.

Specifically, the regulatory proposal is as follows:

Re-organization of Chapters 1 - 14 of Division 9 of Title 22.

Anticipated Benefits of the Proposed Regulations:

These regulations will result in a more coherent and logical order of operations for Division 9 code governing prehospital emergency hospital care.

Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, EMSA has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

Cost or savings to any state agency: EMSA is not aware of any significant cost impacts that a state agency would incur in reasonable compliance with the proposed action.

Cost or savings in federal funding to the state: None

Local mandate: None

Nondiscretionary costs or savings to local agencies: None

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Section 17500-17630: None

Business Report Requirement: None

Cost impact on a representative private person or business: EMSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Significant effect on housing costs: None

Effect on small businesses: The proposed regulations will not affect small businesses. Re-ordering of the operations of Division 9 will not change the current regulations that impact small businesses.

Results of Economic Impact Assessment: As stated earlier, the reorganization of EMSA's regulations in Division 9 of Title 22 will benefit the health and welfare of California residents, making the regulations more usable by all parties with the EMS system. The regulations are not expected to affect worker safety or the state's environment."

EMSA concludes that it is: (1) unlikely that the proposal will eliminate any jobs or LEMSAs; (2) unlikely the proposal will create any new jobs; (3) unlikely the proposal will create new businesses or any new LEMSAs; (4) unlikely the proposal will eliminate any existing businesses in California or existing LEMSAs; and (5) unlikely the regulations will result in the expansion businesses currently doing business within the state or expansion of LEMSAs currently operating in the state.

CONSIDERATION OF ALTERNATIVES

The EMSA must determine that no reasonable alternative to the regulation or has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing statutory policy or other provision of law.

Any interested person may present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the scheduled hearing.

INITIAL STATEMENT OF REASONS, TEXT OF THE PROPOSAL FINAL STATEMENT OF REASONS, AND RULEMAKING FILE

Copies of the proposed text, any document incorporated by reference, and the initial statement of reasons are available by contacting the person named below.

All information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

A copy of the final statement of reasons can be obtained once it has been completed, by making a request to the contact person named below or by accessing the website listed below.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the proposed text are available on the EMSA website at https://emsa.ca.gov/public_comment/

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

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