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May 22, 2023

RE: AB 1168 - Emergency medical services (EMS): prehospital EMS

To Dr. Aragon,

On behalf of the California Conference of Local Health Officers (CCLHO), representing the appointed physician health officers of California's 61 city and county jurisdictions, we would like to express our recommendation to **OPPOSE AB 1168**.

The EMS Act of 1980 created a two-tier system of EMS governance through the EMSA and gives authority to counties to create a local EMS authority (LEMSA) that provide timely, safe, and equitable pre-hospital EMS access for all residents that is especially vital in rural communities, areas with unincorporated areas. AB 1168 seeks to abrogate unsuccessful legal action that attempted to argue an agency's 201 authorities (the regulation that allows agencies that have continuously served a defined area since 1980 EMS Act to continue serving that area as the sole provider). Specifically, in *City of Oxnard v. County of Ventura*, 71 Cal.App.5th. 1010 (Cal. Ct. App. Nov. 23, 2021, perm. app. denied March 9, 2022) upheld the principle that any attempt by cities to expand their EMS authorities from their 1980 scope would be the type of overreach proscribed by the EMS Act; such expansion "would disrupt the status quo, impermissibly broaden HSC 1797.201's exception in a fashion that would swallow the EMS Act itself, fragment the long-integrated EMS system, and undermine the purpose of the EMS Act. Passage of AB 1168 would cause local EMS services to become fractured leaving the unincorporated geography, as well as small towns and cities with either higher costs per 9-1-1 response, delayed response times, and a potential reduction in the quality of care; or require counties to find other means to ensure the services at a significant cost to the County (taxpayer) in meeting our responsibilities for indigent care in our jurisdiction. This was the exact problem the EMS Act attempted to solve.

For these reasons, CCLHO recommends an OPPOSE position for AB 1168.

CCLHO was established in statute in 1947 to advise the California Department of Public Health (CDPH), other departments, boards, commissions, and officials of federal, state and local agencies, the Legislature, and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

Sincerely,

Anissa Davis, MD, MPH

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President, California Conference of Local Health Officers