

**EMSAAC Legislative Committee**  
**September 22, 2003**

Definitions:

Watch – No position. Surveillance only.

Active Support – Letters, testimony, lobbying in support of bill.

Support – Letters. express support of bill when contacted.

Active Oppose – Letters, testimony, lobbying in opposition of bill.

Oppose – Letters, express opposition of bill when contacted.

<b>Bill#</b>	<b>Author</b>	<b>Summary</b>	<b>Suggested Amendments/Clarifications</b>	<b>EMSAAC Position</b>	<b>Status</b>
AB 193	Cohn	Requires Legislature to address methods for the establishment of standards and protocols for early stroke diagnosis and care. Amended no longer applies to EMS. No need to track.		Watch	Assembly Judiciary.
AB 206	Richman	Emergency Health Powers Act – as was introduced and died last session		Watch	Assembly Appropriations. Suspense file.
AB216	Chan	Will become operative only if no bill in the 2003/04 legislative session that imposes or increases any surtax on alcohol is chaptered. This bill would conduct an annual survey on alcohol consumption practices and preferred brands. Fees would be collected by the State Board of Equalization from alcohol industry and be deposited into the Youth Alcohol Prevention and Recovery Fund.		Watch	Assembly Health. 2 year bill.

AB372	Keho	<p>Poison Control Center Funding. Assesses insurers. Amended 4/24/03. Amended to limit applicable assessments to utilization of poison control services to those with employees that utilize poison control to assist employees/subscribers including advice nurses, emergency room physicians, and other health care professionals. Note: Per Dan Smiley there is currently \$6.9M in the State Budget for Poison Control Center funding.</p> <p>Amended May 15 – to delete all reference to insurers. Now is says “Subject to the inclusion of an appropriation in the annual Budget Act, it is the intent of the Legislature to provide full funding to the California Poison Control System at a level sufficient to fund full and continued operations of the poison control centers.</p>		<p>Active Support Letter sent 4/10/03. Call in for Author’s staff regarding 4/24/03 amendments.</p> <p><b>Consider going neutral or opposing. April 30, 2003</b></p>	<p>Assembly Appropriations. Suspense file.</p>
AB472	Correa	<p>Would appropriate any federal funding received by the state for bioterrorism preparedness and emergency response to the DHS if the State budget is not enacted by July 1 of that fiscal year.</p>		<p>Support. Letter sent 4/11/03</p>	<p>Assembly Appropriations. Suspense file</p>
AB551	Cohn	<p>Specifies a fine for failure to yield to emergency vehicle with light and siren.</p>		<p>Watch</p>	<p>Assembly Transportation. 2 year bill.</p>
AB602	Koretz	<p>Same as AB992</p>			<p>Assembly Public Safety. 2 year bill.</p>

AB910	Diaz	<p>Existing law requires the county to conduct an impact evaluation when a hospital closes or downgrades its emergency medical services. This impact evaluation includes a public hearing. The impact evaluation report is sent to DHS. AB910 substantially expands this process by requiring the Board of Supervisors to appoint a hospital protection committee (comprised of 2 members representing the majority of acute care hospitals in the county, 2 RN representatives, 2 physician representatives, 2 representatives of medically uninsured and low income resident of county, and 1 health care consumer. The review would also include full financial disclosures.</p> <p>The old Impact Evaluation process would now only apply to public hospitals. Private hospitals would be required to undergo the new process. A <del>one-year</del> 90 day notice of the proposed downgrade or closure would be required.</p>		Watch for now. Position approved to oppose if bill begins to move and/or we get other entities to join in opposition.	Assembly Appropriations. Suspense file.
AB911	Longville	<p><del>Provides that each local public agency may enact an ordinance that defines what constitutes a nuisance call to a 911 system and may institute fines to persons making such calls.</del> As amended 5/5/03 specifies that a person who knowingly allows the use or who uses the 911 telephone system for any reason other than an emergency is guilty of an infraction. For the first violation person will be issued a written warning. For second there is a fine of \$50. For the third a fine of \$100. For fourth and subsequent it is \$200.</p>		Watch	Assembly Utilities and Commerce. 2 year bill.

AB992	Ridley-Thomas	<p>Would impose fee of \$.10 on each munition sold at retail and place funds in <del>Trauma Center Fund. EMSA would allocate to local EMS agencies to support hospital emergency departments and trauma centers in accordance with guidelines adopted by EMSA. Amended 4/22/03. Bill now bypasses LEMSAs and instead claims would be made by physicians and hospitals to the EMSA. Note: Bruce Lee will contact author. Amended 5/5/03.</del></p> <p>Amended - \$ now goes only to Victims Reimbursement Fund.</p>	May need technical changes	<p>Active Support Letter sent 4/10/03.  <b>4/30/03 Modify to support if amended. See if bill moves – if does change to support if amended to include 50% to Maddy Fund. Fall back funds earmarked to cover medical costs.</b></p>	<p>Assembly third reading. Assembly inactive file.</p>
AB1026	Levine and Runner	<p>Would lower the DUI blood alcohol level for enhanced penalties from 0.20% to 0.15%. Sets other penalties for DUI.</p> <p><del>Amended 5/20/03 to delete this - Would double amount of DUI fines. 50% of the amount of the doubled DUI fines would be kept separate from other fines by the county treasurer. Of this new amount 50% would go for funding licensed DUI programs and 50% would go into the Maddy Fund.</del></p> <p>As amended still would add some \$ into Maddy Fund.</p>		<p>Support. Letter sent May 19, 2003</p>	<p>Senate Public Safety. Hearing 7/8/03. Failed passage. Reconsideration granted.</p>

AB1145	Horton	Requires Department of General Services to apply for federal funds available through the Community Access to Emergency Devices Act for the purchase of AEDs. General Services to consult with EMSA re: policies and procedures for placement and use of such AEDs. Is an "urgency" bill which would go into effect immediately.		Support. Letter send 4/10/03	Passed Senate back to Assembly. Concurrence with amendments pending. Will not be passed this year. Urgency bill.
AB1369	Pavley	Beginning January 1, 2005 - Requires every skilled nursing facility with more than 60 beds, every residential care facility for the elderly with more than 60 beds, and every senior center to purchase and train personnel in AEDs. Amended 4/21/03 to pertain only to residential care facilities and to become effective January 2005. Amended 5/7/03 – liability protections. Amended 6/12/03 – liability protections and also adds provision that if resident has an advanced directive or DNR, they will also indicate separately in writing whether they want an AED used. Amended 7/1/03 – extends date for placement of AEDs to July 2005. More language added regarding withholding AED if resident has signed form requesting same. Amended 8/18/03 – Substantial revisions. Now also requires EMSA to notify LEMSAs and encourage LEMSAs to track number of times AEDs are employed on residents at residential care facilities for the elderly. Amended 8/26/03. Amends clarify and simplify.		Support. Letter sent 4/10/03	Senate Appropriations

AB1577	Lowenthal	Creates the Falls Surveillance Project within the DHS. The project will collaborate with EMSA. The project will: establish a model of data collection for falls, creat EMS first responder reports to document fall injuries, use these reports to identify persons at risk, use the data to develop strategies to prevent falls. Project will design and manage a program of EMS fall event reporting, teach strategies to prevent falls. The EMSA will require each LEMSA to provide each fall victim with a copy of his/her assessment report and encourage him/her to share with his/her health care provider.		Watch. We to do more research. Need to delete statement regarding multiple EMS agencies.	Assembly Health. Hearing 4/29/03. Hearing postponed by Committee. 2 year bill.
AB1588	Negrete McLeod	Preiously re: MOUs between state and unions Gut and amend 9/10/03. As an Urgency bill permits trauma center to be accredited by Centers for Medicare and Medicaid Services – rather than by Joint Commission as is required by State Trauma Regs.			Senate Rules
AB1655	Negrete McLeod	Imposes paramedic license discipline administrative fines. Requires employers to report to LEMSA and EMSA termination or suspension of a paramedic for disciplinary care or reason, or if resign when impending investigation, or removed from paramedic duties for disciplinary cause or reason. Defines disciplinary cause or reason as actions considered evidence of a threat to public health and safety as identified in subdivisions of Section 1798.200 H&S code.	Suggest addition of ability for LEMSAs to charge administrative fines for EMT-I, EMT-II certification discipline.	Watch	Assembly Hearing cancelled by Author. 2 year bill.

AB1690	Leno	<p><del>Permits local taxes through a public safety finance agency to fund supplemental law enforcement and fire services. This tax is from a local income tax that is approved by the voters.</del></p> <p>Amended 7/16/03 to contain only the following language:          "The legislature declares its intent to examine both of the following:          (a) Allowing local governments to impose a personal income tax.          (b) The revenue sources to local governments.</p> <p>Amended 8/18 now includes \$ for physicians 60% and hospitals 40% in Maddy Fund.          Amended 8/29 - minor</p>		Watch CSAC opposed.	Senate Appropriations.
SJR6	Soto	<p>Reaffirms Legislature's commitment to strengthen cities and counties as first line of defense and to give firefighters training in disasters and emergencies, requests Federal financial assistance due to current California budget crisis. Amended 3/12/03 now includes firefighters and emergency medical teams.  <del>Amended 4/22/03 to include statements about our Armed Forces personnel in the Middle East.</del></p>	Request addition of fire and ambulance personnel.	Watch.	Chaptered.
SJR7	Karnette	<p>Responds to Federal Government Advisory Group – Transportation Research Board's recommendation to test longer and heavier trucks, including triple trailer trucks on public highways. SJR7 opposes this recommendation.</p>		Support. Letter submitted.	Chaptered

SB108	Romero	<p>Establishes the Alcohol-Related Emergency Services Reimbursement Trust Fund to be administered by DHS. Funds derived by a \$.05 fee per drink on distributors to retailers. Payments would be made to local emergency medical services providers including emergency departments, trauma centers, emergency medical professionals and entities for reimbursement for provision of medical services (including transportation) to victim as a result of, or in which a causative agent was, the ingestion of alcohol.</p> <p>Amended 3/10/03 to be more specific "emergency departments, trauma centers, emergency and oncall physicians, and other emergency medical professionals and entities..."</p> <p>Amended 3/10/03 section now says, "Local emergency medical services providers, including, but not limited to, emergency departments, trauma centers, emergency and oncall physicians, entities that provide initial prehospital emergency medical stabilization services, emergency ambulance transportation, and other emergency medical professionals and entities, that meet the qualifications established by the department for reimbursement of expenses incurred in providing services for alcohol-related emergencies.</p>		Active support. Letter sent March 13	Senate Rules 2 year bill.
SB431	Ortiz	Would create new Dept of Public Health that would include all public health functions including the EMSA.		Watch	Senate Rules. 2 year bill.
SB244	Speier	<p>Requires DHS to survey all hospitals with Emergency departments to collect information on physician on-call.</p> <p>Amended 6/26/03. No longer pertains to emergency departments.</p>		Watch	No longer tracking.

SB476	Florez	<p>Maddy Fund. Mandates limit of 10% reserves in fund. Funds in excess would be required to be sent back to the state to a "Emergency Medical Services Equalization Fund administered by the EMSA that would allocate the fund to each county based on the proportion of emergency department visits. Would require reports on each county's Maddy fund to go to the State EMS Commission. Each county would establish an advisory committee with representatives comprised of local physicians and hospital administrators.</p> <p>Amended 4/22/03. Took amendments submitted by CSAC/EMSAAC/CHEAC. Still waiting on reserve limit % (now is 10%, we have asked for 20%).</p> <p>Amended 5/6/03. Reserve limit increased to 15%. Now states that physicians may receive 50% of their claim. If remaining funds are available at the end of the year, this amount can be increased up to 100% of the claim.</p> <p>Amended 7/24/03 so that if more than 15% reserves at the end of the fiscal year the excess shall be distributed proportionately to physicians who submitted claims that year.</p> <p>Amended</p>		Support as amended 5/6/03.	<p>Enrolled September 3, 2003. Returned by Governor to Senate. EMSA doesn't want reporting problem due to budget cuts. Amended to delete EMSA role in reporting.</p> <p>Enrolled. Senate concurs with amendments. To Governor</p>
SB536	Romero	Requires the EMSA task force, in conducting the study required by Chapter 333 of the Statutes of 2002, to include within the scope of that study the Los Angeles trauma care system.		Watch	Senate Health and Human Services. 2 year bill.

SB635	Dunn	Maddy Fund. Modifies limitation that physician services must be provided within 48 hours of the patient's hospitalization to qualify for reimbursement from the fund. Instead states 2 calendar days. <del>Requires EMS Commission to make recommendations re: revenue options for increasing funding for emergency medical services.</del>		Watch	Assembly Appropriations. Being amended have not seen amendments yet. Re-referred to Public Safety Committee. 2 year bill.
SB666	Bowen	Requires Department of General Services, no later than March 31, 2004 to report to the Legislature on the status of implementing 911 service in connection with wireless telecommunications service. Also requires Department of Consumer Affairs to convene a working group of providers and users of wireless telecommunications to make recommendations on privacy issues. 6/12/03 amended to delete the working group.  9/9/03 Gut and amend. Now pertains to environment – wet lands.		Watch	Assembly third reading. No longer need to track.
SB678	Ortiz	Previously an education bill. Amended 6/18/03 to public health. Makes appropriation from the Federal Trust Fund to DHS for purpose of implementing BT measures - \$32,799,000 for hospitals and \$17,683,000 to local health services.			Assembly third reading. Victim of partisan fight at end of session.
SB725	Romero	Intent language re: problems with emergency department on call specialists.		Watch	Senate Rules. 2 year bill.

SB767	Florez	<p>Amended May 20, 2003. Specifies that certain "health care safety net programs" such as Black Infant Health, Health of Seasonal Agricultural and Migratory Works shall not be funded at less than their 2002-3 levels and shall not be realigned to local government. The list contained in the bill includes all those programs currently slated to go back to counties as realigned. Also sets condition that hospitals receiving funds from public sources (including anything e.g., MediCal) shall have formal agreements with nonprofit community health centers for EDs to refer nonemergency to such centers and vice versa. This would pertain to patients with payer source as well as indigents. Would require these hospitals to assist in funding these nonprofit community health centers.</p> <p>2 year bill.</p>		Watch	Senate Rules. Senate Health and Human Services. 2 year bill.
SB828	Figuroa, Perata, Romero	<p>"Boutique Hospitals" – ones limiting admission to medical or surgical specialty, type of disease, or medical condition, or limits services to such. Restricts these facilities from being issued a license unless the facility agrees to maintain a basic or comprehensive ED, takes Medi-Cal, provides emergency services to nonpaying and low reimbursement patients.</p>		Watch	Assembly Health. Failed passage. Reconsideration granted.
SB858	Ortiz	<p>Previously pertained to Tobacco Control. Amended 6/18/03 Establishes the Department of Public Health under the Health and Human Services Agency. Moves into this agency the EMS Authority, Office of Statewide Health Planning and Development and certain programs presently under DHS.</p> <p>Amended 7/29/03</p>		Watch	Assembly Health
SB911	Alpert	Creates a State 911 Administrative Board.		Watch	Assembly Third Reading.

