



Attachment A
City of Tracy
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CITY COUNCIL

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January 3, 2017

The Honorable Jeff Denham
Congressman, 10th District
1730 Longworth HOB
Washington DC 20515

Re: **Request for Clarification of the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act at Health and Safety Code section 1797.1 et seq**

Dear Congressman Denham:

On behalf of the City of Tracy, we are writing to respectfully request your assistance with clarification of the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act ("Act") at Health and Safety Code Section 1797.1, *et seq* and the specific provision contained therein, Section 1797.201 and the rights of a fire department or fire district to respond to medical emergencies within their jurisdiction. Within the Act, authority is given to the State and counties to implement and oversee emergency medical care. Generally, it is the local fire agencies who respond to the medical emergencies within their jurisdictions while adhering to the medical protocol standards issued by the County. Presently, a dispute has arisen between the County of San Joaquin and the City of Tracy as to whether, pursuant to the Act and Section 1797.201 specifically, the City has the right to respond to emergencies within its jurisdictional boundaries, regardless of policies issued to the contrary by the Local Emergency Medical Services Agency ("LEMSA").

In San Joaquin County, the County serves as the LEMSAs and pursuant to Section 1797.202 of the Act, the Medical Director maintains "medical control" over emergency medical services within the County. However, the extent to which "medical control" spans remains undefined in the Act. Presently, in San Joaquin County, the San Joaquin County Emergency Medical Services Agency, by way of implementing Policy Number 3202, has prohibited the City of Tracy and other agencies in San Joaquin from responding to lower level medical emergencies within its boundaries. Should the City of Tracy respond to such calls for service outside of the parameters of Policy Number 3202, the County has the authority to withdraw its accreditation of Tracy's advanced life support program.

It is the City's opinion that the authority given to the County in the Act and the "medical control" given to the County's Medical Director does not extend so broadly as to limit a City or fire district's authority to provide emergency response services within its boundaries. We believe that it is imperative to clarify the Act in such a way as to expressly provide the right to local

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agencies to respond to emergencies within their communities. Absent legislative clarification, the City fears that expensive and time consuming litigation will be necessary in order for the City to ensure it can provide emergency services to its citizens in the manner the City deems appropriate. Such litigation is not in the best interest of either the County, the City or the taxpayers.

Thank you in advance for any assistance and clarification you can provide. If you have any questions or need any additional documentation to complete your analysis, please do not hesitate to contact the City. We also welcome the opportunity to meet with you to further discuss this matter.

Sincerely,

Robert Rickman, Mayor

Rhodesia Ransom, Council Member

Veronica Vargas, Council Member

Nancy Young, Council Member

Council Member

cc: Senator Cathleen Galgiani
Assembly Member Susan Talamantes Eggman

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