



## Legislation Details (With Text)

**File #:** 20-1510      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 11/5/2020      **In control:** Board of Supervisors

**On agenda:** 12/15/2020      **Final action:** 12/15/2020

**Title:** Chief Administrative Office, Emergency Medical Services and Emergency Preparedness and Response Division, recommending the Board take the following actions, approving the transfer of responsibility for the Maddy Emergency Medical Services Fund (EMS Fund) from the Health and Human Services Agency to the Chief Administrative Office:

- 1) Authorize establishment of a new special revenue fund within the Chief Administrative Office chart of accounts;
- 2) Approve and authorize the Chair to sign a budget transfer establishing estimated revenue and appropriations within the new special revenue fund (4/5 vote required); and
- 3) Approve and authorize the Chair to sign Resolution 201-2020, authorizing the Chief Administrative Officer or designee to authorize the use of EMS Funds.

**FUNDING:** Maddy EMS Fund court penalties.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - EMS Fund BT, 2. B - Richie Fund Reso Routing Sheet-Approved, 3. C - Richie Fund Reso-Approved, 4. Executed Resolution 201-2020, 5. Executed Budget Transfer

Date	Ver.	Action By	Action	Result
12/15/2020	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Emergency Medical Services and Emergency Preparedness and Response Division, recommending the Board take the following actions, approving the transfer of responsibility for the Maddy Emergency Medical Services Fund (EMS Fund) from the Health and Human Services Agency to the Chief Administrative Office:

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**DISCUSSION / BACKGROUND**

California Health and Safety Code section 1797.98a authorizes counties to establish EMS Funds, also known as Maddy Funds, to reimburse physicians and surgeons for the cost of uncompensated emergency care and to provide for other EMS expenses, by imposing a court penalty assessment. The code further authorizes the establishment of Richie’s Funds as a part of the Maddy Fund, with an additional penalty assessment. In addition to the uses allowed under the Maddy Fund, a portion of Richie’s Funds are dedicated to funding pediatric trauma centers, or in counties without a pediatric trauma center, improving access to pediatric trauma and emergency services.

The Board approved the creation of an EMS Fund effective February 1, 1989 (Resolution 33-89) and of the additional Richie's Fund penalties effective August 1, 2007 (Resolution 192-2007). The EMS Fund was originally administered by the Health Department, and has been administered by HHSA through Fiscal Year 2019-2020.

On December 11, 2018 (Legistar #18-1740) the Board transferred the Emergency Preparedness and Emergency Medical Services programs from the Health and Human Services Agency to the Chief Administrative Office. The transfer of programs was effective July 1, 2019. The initial transfer of programs did not include the administration of the County's EMS Fund. The original Board action did not explicitly include or exclude direction regarding the EMS Fund, and it remained under HHSA's Administration and Public Health staff at that time. However, both Chief Administrative Office and HHSA staff are in agreement that the administration of the Fund can best be performed by the EMS Medical Director and EMS Manager, within the Chief Administrative Office.

In order to effect that change, it is recommended that the Board approve the establishment of a new special revenue fund under the Chief Administrative Office chart of accounts and adopt an associated budget. Additionally, a current Memorandum of Understanding (MOU) and resolution authorize the HHSA Director to approve proposals received by the County from the local hospitals on utilization of the pediatric trauma funds. It is recommended that authority be delegated to the Chief Administrative Officer, or designee. The updated resolution is being presented for approval with this item. The MOU will be presented on a subsequent agenda item.

#### **ALTERNATIVES**

The Board could direct that the HHSA continue to manage the program.

#### **PRIOR BOARD ACTION**

See above.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Health and Human Services Agency

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

This item has no significant financial impact, and pertains to the administration of restricted funds.

#### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Upon approval, Clerk to obtain Chair's signature on the budget transfer and resolution.

#### **STRATEGIC PLAN COMPONENT**

Public Safety, Healthy Communities

#### **CONTACT**

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