



## Legislation Details (With Text)

**File #:** 10-0027      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 1/12/2010      **In control:** Board of Supervisors

**On agenda:** 4/6/2010      **Final action:** 4/6/2010

**Title:** Health Services Department recommending the Board consider the following:  
 1) Adopt Resolution authorizing the Emergency Medical Services Agency (EMS) to access state and federal level summary criminal history information for certification of Emergency Medical Technicians in the County of El Dorado; and  
 2) Authorize the Director of Health Services to sign the following documents hereto as outlined in Attachment B:  
 a) Contract for Subsequent Arrest Notification Service with the Department of Justice;  
 b) Department of Justice Request for Contributing Agency ORI and/or Response Mail Code; and  
 c) Applicant Fingerprint Response Subscriber Agreement.  
 Resolution 038-2010

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. B - DOJ Contract Documents, 2. C - Blue Sheet DOJ Contract Documents, 3. Executed Resolution 038-2010

Date	Ver.	Action By	Action	Result
4/6/2010	1	Board Of Supervisors	Adopted	Pass

Health Services Department recommending the Board consider the following:  
 1) Adopt Resolution authorizing the Emergency Medical Services Agency (EMS) to access state and federal level summary criminal history information for certification of Emergency Medical Technicians in the County of El Dorado; and  
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**Resolution 038-2010**

Fiscal Impact/Change to Net County Cost: Not Applicable.

Background: The Emergency Medical Services Agency Medical Director is responsible for certification / recertification of Emergency Medical Technician (EMT) applicants in the County of El Dorado (Health & Safety Code 1797.210), under the authority of the Board of Supervisors.

Assembly Bill (AB) 2917 (Torricono) modifies, replaces or adds several sections to Health & Safety Code 1797 et seq. and was approved by the Governor of the State of California September 25, 2008. Specifically, AB 2917 adds Health & Safety Code § 1797.118, which requires effective July 1, 2010, all EMTs and Advanced EMTs have a California Department of Justice (DOJ) and Federal Bureau of Investigation (FBI) criminal background check as part of the certification / recertification process. AB 2917 also requires that the certifying entity (specifically the County of El Dorado EMS Agency) and

the State Emergency Medical Services Authority shall both receive subsequent arrest notification from DOJ.

The Department of Justice maintains State summary criminal history information that may be made available to local agencies, if so authorized by the local Board of Supervisors, pursuant to Penal Code §§ 11105 (b) (11) and 13300 (b) (11). The local agency may transmit fingerprint images and related information to the Department of Justice, to be transmitted to the Federal Bureau of Investigation, for the purpose of background checks prior to employment, licensing, or certification.

The mechanism endorsed by both the DOJ and FBI for transmission of fingerprint images and related information is Live Scan. In the County of El Dorado there are currently six (6) Live Scan locations available to applicants for EMT certification: two private companies; two at Sheriff Department offices; and two at City Police Departments (Placerville and South Lake Tahoe). For the purpose of EMT certification / recertification, the cost of the Live Scan application and process is to be borne by the applicant.

Therefore, in accordance with AB 2917, the attached Resolution establishes that the County of El Dorado EMS Agency is authorized to access federal and State level criminal history information for the purpose of EMT certification. The Resolution also provides that EMS may not disseminate the information to a private entity. The language recommended by the Department of Justice has been incorporated into the Resolution.

Certain documents require submission to the Department of Justice to institute the aforementioned certification process; therefore, the Department also recommends the Board authorize the Director of Health Services be authorized to sign the following documents attached hereto as Attachment B:

1. Contract for Subsequent Arrest Notification Service with the Department of Justice;
2. Department of Justice Request for Contributing Agency ORI and/or Response Mail Code; and
3. Applicant Fingerprint Response Subscriber Agreement.

Reason for Recommendation: Adoption of the Resolution will allow the County to comply with the requirements of Health & Safety Code § 1797.118.

Action to be taken following Board approval:

1. Chair to sign Resolution
2. Board Clerk's Office to return three (3) certified copies of the fully executed Resolution to Department.
3. Department to retain one (1) copy and submit one (1) copy to the Department of Justice, and one (1) copy to the Federal Bureau of Investigation.
4. Health Services Department Director shall sign and submit required associated documentation as authorized by Board of Supervisors.

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