

BEFORE
THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

In the matter of the) Resolution No. 16-
EMERGENCY MEDICAL SERVICES) A RESOLUTION RECOMMENDING THE
(EMS) PROGRAM) DESIGNATION OF AN EXCLUSIVE
) OPERATING AREA FOR THE PROVISION OF
) EMERGENCY AMBULANCE SERVICES

WHEREAS, pursuant to Health and Safety Code Section 1797.200, this Board authorized the development of an Emergency Medical Services (EMS) program for Fresno County which includes the provision of emergency ambulance services to the residents and visitors of Fresno County; and

WHEREAS, pursuant to Health and Safety Code Section 1797.200, on March 24, 1981, the County of Fresno designated the Fresno County Health Department (which is now the Fresno County Department of Public Health) as the local Emergency Medical Services Agency ("EMS Agency") for Fresno County¹; and

WHEREAS, this Board acknowledges that the EMS Agency has been planning, implementing and evaluating the emergency medical services system within Fresno County, in accordance with and based upon Division 2.5 of the Health and Safety Code, which is known as the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act (the "EMS Act"); and

WHEREAS, an exclusive operating area ("EOA") is defined by Section 1797.85 of the Health and Safety Code as "an EMS area or subarea defined by the emergency medical services plan for which a local EMS agency, upon the recommendation of a county, restricts operations to

¹ The EMS Agency currently is known as the Central California EMS Agency.

1 one or more emergency ambulance services or providers of limited advanced life support [(EMT-
2 II)] or advanced life support [(paramedic)]"; and

3 WHEREAS, an "Emergency Medical Services Area" or "EMS Area" is defined by Section
4 1797.74 of the Health and Safety Code as "the geographical area within the jurisdiction of the
5 designated local EMS agency"; and

6 WHEREAS, Section 1797.224 of the Health and Safety Code permits a local EMS agency
7 to create one or more EOA's in the development of a local EMS plan; and

8 WHEREAS, Section 1797.224 of the Health and Safety Code states that "A local EMS
9 agency may create one or more exclusive operating areas in the development of a local plan, if a
10 competitive process is utilized to select the provider or providers of the services pursuant to the
11 plan"; and

12 WHEREAS, the local EMS agency designated the existing exclusive operating area on
13 December 12, 2006, after a recommendation by the Board; and

14 WHEREAS, this Board desires that the EMS Agency continue the EOA for the Fresno
15 County Emergency Medical Services Exclusive Operating Area, and conduct a competitive
16 selection process for such services, and that such services be provided to the satisfaction of the
17 County of Fresno and the EMS Agency through a written service provider agreement that is
18 acceptable to the County of Fresno and the EMS Agency.

19 NOW, THEREFORE, BE IT RESOLVED as follows:

20 1. This Board finds that the EMS Agency's continuation of an EOA that restricts
21 emergency ambulance services in the Fresno County Emergency Medical Services Exclusive
22 Operating Area would provide for stable and reliable emergency ambulance services with exclusive
23 rights to all emergency ambulance services, which includes 9-1-1 emergency responses, 7-digit
24 emergency responses advanced life support (ALS) ambulance, all critical care transport (CCT)
25 services, ALS interfacility transports, and stand-by services with transport authorization (hereinafter
26 referred to as "Emergency Ambulance Services") in such area, and, as a result, such services to the
27 satisfaction of the County of Fresno and the EMS Agency therefore would be in the best interest of
28 the health and safety of Fresno County residents and visitors. The EMS Agency will designate the

1 Fresno County Emergency Medical Services Exclusive Operating Area, defined below, and the
2 terms and conditions of the selected provider's provision of emergency ambulance services shall
3 be governed by a service provider agreement.

4 2. This Board hereby recommends to the EMS Agency that the EMS Agency, by
5 undertaking a competitive selection process for providers of emergency ambulance services
6 designate an EOA that restricts emergency ambulance services in Fresno County in the area
7 designated as the Fresno County Emergency Medical Services Exclusive Operating Area," as
8 shown on Attachment "A1" and "A2."

9 3. This Board acknowledges that the EMS Agency's designation of the Fresno County
10 Emergency Medical Services Exclusive Operating Area for provision of emergency ambulance is
11 conditioned upon and subject to the State EMS Authority's approval of an amendment to the EMS
12 Plan, and any other related approval of such Plan by the State EMS Authority which is submitted
13 thereto by the EMS Agency.

14 4. This Board finds and determines that it took all of the foregoing actions in this
15 resolution in compliance with the EMS Act, and in particular Sections 1797.85 and 1797.224 of
16 the Health and Safety Code. It is the intent of this Board that the County of Fresno, by taking all of
17 the foregoing actions in this resolution and making all such findings, is lawfully carrying out the
18 provisions of the EMS Act as it applies to the subject matter hereof. Therefore, the provisions of
19 this resolution, including any and all actions taken by the County of Fresno hereunder, shall not be
20 intended to act as a substitution for any action that must be taken by, or as a limitation on an
21 authority that must be exercised by, the EMS Agency with regard to the subject matter hereof. To
22 the extent that such action, if any, of this Board is deemed, by a court of competent jurisdiction, to
23 be a substitution for any action that must be taken by, or a limitation on an authority that must be
24 exercised by, the EMS Agency, then this Board acknowledges and resolves that it would have
25 taken such action, or refrained from taking such action referred to herein, which would allow the
26 County of Fresno to lawfully conform its actions herein to the requirements of the EMS Act.

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1 THE FOREGOING was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 11th day of October, 2016 to-wit:

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4 AYES:

5 NOES:

6 ABSENT:

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9 CHAIRMAN, Board of Supervisors

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11 ATTEST:

12 BERNICE E. SEIDEL

13 Clerk, Board of Supervisors

14 By _____

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Attachment A-1
Exclusive Operating Area - Map
Census Tracts (2010)

