Health Services
LOS ANGELES COUNTY

Los Angeles County
Board of Supervisors

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John R. Cochran III
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Senior Medical Officer

13 N. Figueroa Street, Suite 912
Los Angeles, CA 90012

Tel: (213) 240-8101
Fax: (213) 481-0503

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March 6, 2007

REVISED

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTION OF A RESOLUTION TO LEVY AN ADDITIONAL PENALTY IN THE AMOUNT OF $2 FOR EVERY $10 UPON FINES, PENALTIES AND FORFEITURES FOR CERTAIN CRIMINAL OFFENSES (SB 1773), APPROVAL OF A BUDGET APPROPRIATION TO ACCEPT ADDITIONAL FUNDING, AND AUTHORIZATION TO HIRE ADDITIONAL STAFF IN EXCESS OF COUNTY ORDINANCE (ALL DISTRICTS)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution (Attachment A) to implement the provisions of SB 1773 which was approved by the Governor on September 30, 2006. This bill authorizes the Board to levy an additional $2 for every $10, upon fines, penalties and forfeitures imposed for certain criminal offenses to cover emergency and trauma services provided to indigent patients and improve emergency services in the County. This additional penalty shall be in effect until January 2009, unless otherwise extended by statute. **(3 VOTES)**

2. Find that the proposed resolution is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) as a charge by a public agency for the purpose of meeting operating expenses, as set forth in Section 15273(a) of the State CEQA Regulations. **(3 VOTES)**

3. Approve an appropriation adjustment (Attachment B) in the amount of $5.9 million to increase revenue and appropriation authority for the Hospital and Physician Services Accounts and Health Services Administration for Fiscal Year (FY) 2006-07. **(4 VOTES)**

4. Authorize the Director of Health Services, or his designee to fill 26 positions as described in Attachment C, in excess of what is currently authorized in the Department of Health Services staffing ordinance, pursuant to Section 6.06.020 of the County Code, subject to allocation by the Chief Administrative Office's Classification and Compensation, fully offset by the additional funds generated under SB 1773 up to January 1, 2009, with extension for funding to fully offset County cost beyond this date upon further legislative action. **(3 VOTES)**

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS:

The purpose of the recommended actions is to: 1) Adopt a resolution to implement SB 1773; 2) Find the proposed resolution is statutorily exempt from the provisions of the CEQA; 3) Approve an appropriation adjustment totaling $5.9 million to increase revenue and expenditure appropriations in the Hospital and Physician Services Accounts, and Health Services Administration in the Department's FY 2006-07 Final Budget; 4) Authorize the Director or his designee to fill 26 positions to implement a new program and enhance existing programs at the Emergency Medical Services (EMS) Agency.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

These actions support the County's Strategic Plan Goal No.1 for Service Excellence by enhancing the availability and quality of trauma and emergency care countywide.

FISCAL IMPACT/FINANCING:

Additional Maddy Fund collections are estimated at $5.9 million for the remainder of FY 2006-07, $18.1 million for FY 2007-08, and $9.3 million for FY 2008-09 (through December 2008). An appropriation adjustment totaling $5.9 million is needed to increase revenue; services and supplies and salaries and employee benefits expenditure authority in the Department's FY 2006-07 Final Budget are as follows: Hospital Services Account ($1.9 million), Physician Services Account ($2.6 million) and Health Services Administration for EMS Agency programs ($1.4 million). There will be no net County cost in accepting the new revenue under SB 1773. Funding will be requested in the Department's 2007-08 Proposed Budget Request, and will be requested in future fiscal years.

As long as the provisions of SB 1773 are extended by statute beyond January 2009, no net County cost will be incurred.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

In 1987, the California Legislature enacted Chapter 1240, Statutes of 1987, allowing counties to establish an EMS fund (Maddy fund) to compensate physicians and medical facilities for emergency services provided to indigent patients. The Maddy funds (also referred to as SB 612 funds) are derived from additional penalties assessed on fines and bail forfeitures that the courts collect for certain criminal offenses and motor vehicle violations. The Maddy Fund currently provides $18 million for emergency services and payment to trauma and emergency physicians and hospitals.

On September 30, 2006 the Governor approved Senate Bill 1773 which authorizes each county Board of Supervisors to levy an additional penalty in the amount of $2 for every $10, upon fines, penalties, and forfeitures collected for certain criminal offenses, so long as the increased penalties do not offset or reduce the funding of other programs from other sources.

Up to 10% of the funds will be allocated to the EMS Agency to cover actual administrative cost. The balance after the administrative cost will be allocated as follows:

Fifteen percent (15%) will be allocated for additional pediatric trauma and emergency services at both County and non-County facilities. Funds spent for these purposes shall be known as Richie's Fund. Currently, there are six pediatric trauma centers in the LA basin which cover the entire County. Areas underserved for pediatric trauma include San Fernando, Antelope and San Gabriel Valleys where patients are helicoptered to a trauma center in the basin. A prerequisite for designation as a pediatric trauma center is the existence of a general adult trauma center. Because there is no existing trauma center in the Antelope Valley, the EMS Agency is pursuing San Fernando and San Gabriel Valley trauma centers interested in adding the pediatric component. This allocation will be used for this endeavor as well as to enhance currently designated pediatric trauma centers.

Eighty Five percent (85%) will be allocated as follows: 1) 58% to physicians and surgeons for emergency services to indigent patients, excluding those employed by County hospitals; 2) 25% to hospitals providing disproportionate trauma and ER services; 3) 17% for other emergency services as determined by the County.

The 17% other emergency services allocation and some of the 10% administrative cost allocation will be used to fill 26 positions at the EMS Agency to develop a Central Base Station function; enhance other EMS programs such as Ambulance Licensing, Ambulance Services, Disaster Services, Prehospital Certification; and support other EMS Administrative functions. Many of these positions are required to ensure that the EMS Agency meets State-mandated requirements per Health & Safety Code Division 2.5 and the California Code of Regulations, Title 22, Division 9.

ENVIRONMENTAL DOCUMENTATION

State law under CEQA requires a public agency to document and consider the environmental implications of its actions. The adoption of this resolution is statutorily exempt pursuant to Section 15273(a) of the State CEQA Regulations because the allocation of funding received under SB 1773 as described herein will be used to meet operating expenses, including, but not limited to, employee wage rates and fringe benefits.

CONTRACTING PROCESS:

Not applicable.

IMPACT ON CURRENT SERVICES (OR PROJECTS):

Implementation of this measure will help ensure the ability of hospitals and physicians to maintain emergency and trauma services and will help mitigate the ongoing emergency services crisis in the County. It will also allow the EMS Agency to develop a new program and enhance existing programs to strengthen the County's emergency services and improve readiness in the event of a major disaster.

Respectfully submitted,

Bruce A. Chernof, M.D.
Director and Chief Medical Officer

BAC:cm

Attachments

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

Attachment A

RESOLUTION NO._____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
RELATING TO THE EMERGENCY MEDICAL SERVICES FUND

On Tuesday _____, 2007, on motion of Supervisor _____, duly seconded by Supervisor _____ and carried, the following resolution is adopted by the Board of Supervisors of Los Angeles County, State of California.

WHEREAS, the Los Angeles County Board of Supervisors established the Maddy Emergency Services Fund (hereafter called the Maddy Fund) on November 17, 1987, for the deposit of certain penalty assessments collected pursuant to Section 1465 of the Penal Code, and authorized the specific allocation of penalty assessments to be distributed among certain funds; and

WHEREAS, Government Code Section 76000.5 as added by Chapter 841 of the Statutes of 2006, provides that a County may *elect* to levy an additional penalty of two dollars ($2) for every ten dollars ($10) or fraction thereof, upon various fines, penalties and forfeitures collected by the courts for criminal offenses; and

WHEREAS, Government Code Section 76000.5, as added by Chapter 841 of the Statutes of 2006, provides that funds pursuant to this section shall be deposited into the Maddy Fund established pursuant to Section 1797.98(a) of the Health and Safety Code; and

WHEREAS, the Maddy Fund assists in reimbursing emergency medical treatment providers for a percentage of losses they incur in providing emergency medical care to non-paying patients.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Los Angeles County that

The foregoing recitals are adopted as a part of this resolution.

BE IT FURTHER RESOLVED that in accordance with Section 15273a)(i)-(iii) of the California Environmental Quality Act (CEQA) Guidelines, the proposed additional penalty assessments set forth herein are for the purpose of meeting operational expenses, providing partial reimbursement for provision of pediatric trauma care and other emergency medical services, and are therefore, statutorily exempt from compliance with CEQA.

BE IT FURTHER RESOLVED that pursuant to Government Code 76000.5, in or around March 2007 and thereafter, there shall be levied, in addition to the penalties prescribed by Government Code 76000, an additional penalty assessment of two dollars ($2) for every ten dollars ($10) or fraction thereof, which shall be collected, together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty , or forfeiture imposed and collected by the courts for criminal offenses, including violations of Division 9 (commencing with Section 23000 of the Business and Professions Code) relating to the control of alcoholic beverages, and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except parking offenses subject to Article 3 (commencing with section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

BE IT FURTHER RESOLVED that all such additional assessments collected shall be transferred to the Auditor/Controller-Recorder for deposit into interest-bearing Maddy Fund in accordance with the Health and Safety Code 1797.98, et seq., and after reimbursement of costs of administering the Fund which amount shall not exceed ten percent (10%), the balance of the money shall be distributed as follows:

1. Fifteen percent (15%) shall be to improve access to, and coordination of pediatric trauma services in the County;

2. The remaining eighty-five (85%) shall be distributed as follows:

a. Fifty-eight percent (58%) to physicians and surgeons for emergency medical services provided by all physicians and surgeons in general acute care hospitals that provide basic or comprehensive emergency services;

b. Twenty –five percent (25%) to hospitals providing disproportionate trauma and emergency medical services;

c. Seventeen percent (17%) for other emergency medical services purposes through the local Emergency Medical Services Agency.

The foregoing resolution was on the _____ day of _____ 2007, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI
Executive Officer-Clerk of the Board of
Supervisors of the County of Los Angeles

_____ By_____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

_____

PJS

ATTACHMENT B

BOARD OF SUPERVISORS
OFFICIAL COPY

76R 352M 11/83

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT DEPT'S. No. _____

DEPARTMENT OF Health Services DATE 02/16/2007

AUDITOR CONTROLLER.
THE FOLLOWING APPRPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

Budget Adjustment
Fiscal Year 2006-07
4 Vote

SOURCES:		USES:	
Physicians Services Forfeitures & Penalties BW7-HS-41141-8431	$2,600,000	Physicians Services Services & Supplies BW7-HS-41141-2000	$2,600,000
Hospital Services Forfeitures & Penalties BW8-HS-41148-8431	$1,900,000	Hospital Services Services & Supplies BW8-HS-41148-2000	$1,900,000
Health Services Administration Forfeitures & Penalties A01-HS-20000-8431	$1,400,000	Health Services Administration Salaries & Employee Benefits A01-HS-20000-1000	$113,000
		Services & Supplies A01-HS-20000-2000	$1,287,000
Total:	$5,900,000	Total:	$5,900,000

JUSTIFICATION:
The appropriation adjustment in the amount of $5,900,000 is necessary to increase revenue and expenditure authority in the Department of Health Services Fiscal Year 2006-07 Final Budget to reflect the additional Maddy Fund collections estimated at $5.9 million.

EM:gt
02/16/07

Efrain Muñoz, Chief
DHS-Controller's Division

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER FOR: ☐ ACTION ☑ RECOMMENDATION

APPROVED AS REQUESTED ☑ AS REVISED ☐

2/20/07 Carolyn Jensen
CHIEF ADMINISTRATIVE OFFICER

AUDITOR-CONTROLLER No. 171

BY: [illegible]
Feb 20, 2007

APPROVED (AS REVISED): BOARD OF SUPERVISORS

BY: _____
DEPUTY COUNTY CLERK

SEND 6 COPIES TO THE AUDITOR-CONTROLLER

IMPLEMENTATION OF SB 1773
POSITIONS IN EXCESS OF CURRENTLY AUTHORIZED IN THE DEPARTMENT OF HEALTH SERVICES STAFFING ORDINANCE
(SECTION 6.06.020 OF THE COUNTY CODE)

21 Programmatic Positions

I. New Program: Central Base Station--12 Positions

Senior Nursing Instructor - 4 Items

These items will be responsible to manage the development of a Central Base Station. They will provide oversight, evaluation, monitoring and planning for all central base station activities, including quality improvement, and data analysis. They will participate in EMS Commission sub-committees, and serve as liaison with the seventy-five 9-1-1receiving hospitals and forty –two (42) paramedic provider agencies in the County. In addition, they will develop policies, conduct investigations, and oversee patient follow up, develop required education for medical staff, nursing instructors, and paramedics and handle investigations, complaints, or problems.

Nursing Instructor - 7 Items

These items will be responsible to for 24/7 staffing of a Central Base Station function. The nursing instructors will answer calls from the paramedics in the field setting and provide them with authorized instructions for medical care and patient destination. In addition, they may assist the Senior Nursing Instructors in the providing educational programs for the paramedics and other nursing staff, and collect data elements for provide for system review and quality improvement, particularly in the development stages.

Senior Physician, MD - 1 Item

This item will have immediate medical charge over the proposed Central Base Station, which provides medical oversight and direction for patients in the field setting for whom 9-1-1 paramedics have been called. This item will be responsible for the supervision of 24/7 physician coverage and the development of the Central Base Station providing medical direction thousands of calls per month. This function includes the drafting of policies and procedures, program direction, and oversight of quality improvement programs and medical investigations.

II. Enhancement/Expansion of Existing Programs -- 9 Positions

Senior Nursing Instructor - 2 Items

Item (1) – This item will be assigned to the Prehospital Certification Section and will be responsible for the Emergency Medical Services Agency's approval and ongoing monitoring of prehospital education and training programs, which include over one-hundred (100) continuing education programs, and over sixty-one (61) automatic external defibrillator service provider programs. This person will also ensure that programs comply with national standards, the State of California, Health and Safety Code and Title 22 regulations, Los

IMPLEMENTATION OF SB 1773
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(SECTION 6.06.020 OF THE COUNTY CODE)

Angeles County EMS Agency policies and treatment guidelines, and analysis of performance on licensing and certification exams. This Senior Nursing Instructor item will supervise one Nursing Instructors ant the clerical staff assigned to the certification program.

Item (2) – This item will manage the Ambulance Licensing section of the EMS Agency, providing the necessary knowledge of licensing and regulations, promulgated by the State and local governments and the ability to liaison with attorneys, city managers, Chief Executive Officers, Medicare investigators. This item will be responsible for changes to the County Ordinance to ensure public safety, streamlining the ambulance licensing process, working with the various private ambulance companies and oversee the Emergency Patient Transport Contracts and supervise a staff of four administrative and clerical positions.

Senior EMS Program Head - 1 Item

This item will augment administrative and supervisory oversight for Ambulance Services which has seventy-one employees and operates ambulance and dispatch on a 24/7 basis. The DHS Ambulance Services section coordinates approximately 4,000 transports a month, within DHS. When Ambulance Services personnel are not available, the transport is outsourced to contracted private ambulance companies at a cost of over $2.5 million per year. The number of employees, mobility of staff, hours of operation, cost of the program, staff training, and risk management issues have made it necessary to request a higher level of administrator who will have the capability to effectively manage and enhance Ambulance Services section though data analysis, time management, and program development.

Patient Transport Supervisor I - 1 Item

This item will provide supervisory coverage of fifty-eight (58) employees for the Ambulance Services evening and night shifts. This is a 24/7 operation, with employees moving throughout the county transporting patients. This item would assist the two current Patient Transportation Supervisor IIs who are responsible for the direct supervision of the Ambulance Services staff. This supervisor will help to ensure employee compliance with policies and procedures, program efficiency and also ensure that space, equipment and vehicles meet established standards.

Dispatcher I - 2 Items

These items are necessary to maintain an efficient, responsive dispatch program for the DHS Ambulance Services. These items are responsible for the dispatch of Department and private ambulances to transport patients throughout the DHS health facility network and home. Additional program responsibilities have made it necessary to request additional dispatch staff. This is a 24/7 operation; the current FTE allotment leaves gaps, where just one Dispatcher may be on duty for an eight hour shift on weekends or nights; this limits the options for supervision, relief for breaks, and efficiency during busy periods.

IMPLEMENTATION OF SB 1773
POSITIONS IN EXCESS OF CURRENTLY AUTHORIZED IN THE DEPARTMENT OF HEALTH SERVICES STAFFING ORDINANCE
(SECTION 6.06.020 OF THE COUNTY CODE)

Senior Disaster Services Analyst – 2 Items

Item (1) - This item will serve as a liaison to the Joint Regional Intelligence Center, a fusion center which integrates law, fire and health in overall preparing and acting upon intelligence related to terrorism events. This position provides consultation regarding potential and actual health consequences of specific terrorist acts. This item will work directly with Fire Department personnel at the rank of captain or above assigned to this unit.

Item (2) - This item will be assigned to the Los Angeles-Long Beach Urban Area Critical Incident Planning and Training Alliance working in the Mass Casualty Incident Catastrophic Planning Section developing and refining plans and procedures related to triage and treatment during catastrophic events and will work directly with Fire Department personnel at the rank of captain or above assigned to this unit.

Disaster Services Specialist – 1 Item

This item will be a direct report to the Director of EMS and be responsible for the overall management of the disaster service functions to include the DHS Emergency Coordination program, Disaster Training Unit, Response Teams section and the Mobile Hospital program. Additionally, all disaster grant activities, which include the National Bioterrorism Hospital Preparedness Program, the State Homeland Security Grant Program, Regional Disaster Medical and Health Coordination Program, and the Disaster Medical Assistance Team State Grant, will be managed by this item.

5 Support Positions

Staff Assistant III - 1 Item

This item will be responsible for the records maintenance and audit of all licensed ambulance companies in the County and will make recommendations and follow up on delinquent records and infringements of the County Ordinance related to ambulance licensing. This workload will increase over the next several years as the EMS Agency takes a more active role in the oversight of all ambulance (from 24 licensed companies to 50) companies operating in the County.

Warehouse Worker III - 1 Item

This item is requested to supervise Warehouse Workers I and II items, along with providing oversight of volunteer worker activities in the large warehouse and ambulance services facilities. In addition to supervisory responsibility, this item will be responsible for the procurement of ambulances and vehicles used by the Department for patient transportation and disaster management activities, maintain stock records and be responsible for inventory control and standardization of vehicle maintenance (40 ambulances, 10 trucks, autos, vans, and an array of heavy equipment), ensure the proper licensing and use of various equipment operations (class specific drivers license, fork lift operations) and replenishment of supplies.

IMPLEMENTATION OF SB 1773
POSITIONS IN EXCESS OF CURRENTLY AUTHORIZED IN THE DEPARTMENT OF HEALTH SERVICES STAFFING ORDINANCE
(SECTION 6.06.020 OF THE COUNTY CODE)

Principal Programmer Analyst - 1 Item

This item will be responsible for the Application and Development Section of the EMS Information Technology Division and will be responsible for the continued maintenance and support for our existing computer based applications as well as the development of new applications that meet the long term information technology strategic goals of the Department of Health Services. The addition of this item is item was recommended by the DHS CIO

Staff Analyst, Health - 1 Item

This item is necessary to oversee the contracting activities of the EMS Agency (over 190 active contracts) and will supervise an assistant Staff Analyst and interface with EMS managers, various County offices such as: Health Services Administration Contracts & Grants Division, Fiscal Services, County Counsel, and outside entities (vendors and non-County hospitals). This position will also handle all written and verbal communication associated with ensuring required review and contract approvals prior to and after Board approval.

Secretary, Health Services Commission – 1 Item

This item is needed to coordinator all administrative support duties for the EMS Commission. This person will arrange all regular EMS Commission meetings and plan the statutory hearings that the EMS Commission must hold for all closures of emergency departments in the County. Coordinating the activities of this very active commission requires extensive organizational skills, knowledge and experience. She prepares agendas, takes minutes and prepares all correspondence for signature by the Executive Director or Chairman.

Board Agenda: March 6, 2007

FACT SHEET

RE: REQUEST TO IMPLEMENT SB 1773

All Districts.

CONTACT PERSONS:

Department of Health Services
Carol Meyer, Director
Emergency Medical Services Agency
(323) 890-7545
Cmeyer@ladhs.org

Department of Health Services
Andree A. Stecker, Chief Administrative Services
Emergency Medical Services Agency
(323) 869-7154
Astecker@ladhs.org

SUBJECT:

The Director of Health Services is filing a Board letter for the March 6, 2007 agenda to request that the Board levy an additional penalty in the amount of $2 for every $10 upon fines, penalties and forfeitures for criminal offenses and parking penalties (SB 1773).

REQUESTED ACTIONS:

The Board is being asked to 1) Adopt a resolution to implement SB 1773; 2) Find the proposed resolution is statutorily exempt from the provisions of the CEQA; 3) Approve an appropriation adjustment totaling $5.9 million to increase revenue and expenditure appropriations in the Hospital and Physician Services Accounts, and Health Services Administration in the Department's FY 2006-07 Final Budget; 4) Authorize the Director or his designee to fill 26 positions to implement a new program and enhance existing programs at the EMS Agency.

PROGRAM:

In 1987, the California Legislature enacted Chapter 1240, Statutes of 1987, allowing counties to establish an EMS fund (Maddy fund) to compensate physicians and medical facilities for emergency services provided to indigent patients. The Maddy funds (also referred to as SB 612 funds) are derived from additional penalties assessed on fines and bail forfeitures that the courts collect for certain criminal offenses and motor vehicle violations. The Maddy Fund currently provides $18 million for emergency services and payment to trauma and emergency physicians and hospitals.

On September 30, 2006 the Governor approved Senate Bill 1773 which authorizes each county Board of Supervisors to levy an additional penalty in the amount of $2 for every $10, upon fines, penalties, and forfeitures collected for criminal offenses, so long as the increased penalties do not offset or reduce the funding of other programs from other sources.

CONTRACT AMOUNT:

Not applicable.

TERMINATION PROVISIONS:

Not applicable.

TERM OF CONTRACT:

Not applicable.

AUTOMATIC RENEWAL:

Not applicable.

FIRST BOARD APPROVAL:

Not applicable.

RETROACTIVE AGREEMENT:

Not applicable.

REQUEST FOR PROPOSALS PROCESS:

Not applicable.

SOLE SOURCE JUSTIFICATION:

Not applicable.

SMALL BUSINESS' WEB SITE:

Not applicable.