

AMENDED IN SENATE JUNE 15, 2010
AMENDED IN SENATE JUNE 2, 2010
AMENDED IN SENATE MAY 12, 2010
AMENDED IN SENATE JULY 6, 2009
AMENDED IN SENATE JUNE 23, 2009
AMENDED IN ASSEMBLY MAY 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1272

**Introduced by Assembly Member Hill
(~~Coauthor: Assembly Member Ammiano~~)**

February 27, 2009

An act to add *Section 65097 to the Government Code, and to add Section 1797.259 to the Health and Safety Code, relating to public health.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1272, as amended, Hill. Emergency medical services: trauma center: helicopter landing pad.

Existing law, the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority within the California Health and Human Services Agency to, among other things, provide statewide coordination of county emergency medical service programs, including, but not limited to, designated trauma centers, and to administer the Trauma Care Fund.

Existing law, the Planning and Zoning Law, among other things, authorizes the legislative body of a city or county to adopt zoning ordinances regulating, among other things, the use of buildings, structures, and land as between industry, business, residences, open space, and other uses. Existing law sets forth related public hearing requirements.

This bill would require a city, county, or city and county to, upon receiving an application for a permit resulting in the construction or operation of a heliport or helipad on the property of a general acute care hospital, notify the hospital and the local EMS agency of the date, time, and place of the hearing. The bill would require consultation by the city, county, or city and county, as prescribed.

~~This bill would prohibit a city, county, or city and county from disapproving an application for a permit to build a heliport or helipad upon the property of a general acute care hospital until after the city, county, or city and county consults with the local EMS agency, as specified, and provides the applicant with time to provide a specified report. The bill would require the findings of the report to be discussed in an open meeting before action is taken on the application.~~

By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 65097 is added to the Government Code,
- 2 to read:
- 3 65097. (a) A city, county, or city and county shall, upon
- 4 receiving an application for a permit resulting in the construction
- 5 or operation of a heliport or helipad on the property of a general
- 6 acute care hospital, notify the hospital and the local EMS agency
- 7 of the date, time, and place of the hearing.

1 (b) The city, county, or city and county shall consult with
2 representatives of the hospital before the hearing regarding the
3 impacts on availability and accessibility of emergency and trauma
4 care services in the designated area, and health and safety effects
5 of the proposed heliport or helipad.

6 (c) The city, county, or city and county shall consult with the
7 local EMS agency regarding air ambulance access for the local
8 EMS system.

9 (d) The city, county, or city and county shall consider any
10 written comments by the hospital and the local EMS agency at the
11 hearing.

12 (e) As used in this section, “local EMS agency” means a local
13 EMS agency as defined in Section 1797.94 of the Health and Safety
14 Code.

15 SEC. 2. Section 1797.259 is added to the Health and Safety
16 Code, to read:

17 1797.259. (a) After receiving notice pursuant to Section 65097
18 of the Government Code, the local EMS agency shall provide
19 information to the city, county or city and county regarding air
20 ambulance access for the local EMS system.

21 (b) The local EMS agency may prepare a report, consult with
22 representatives of the city, county, or city and county, provide
23 written comments, or testify at the hearing, regarding the proposed
24 construction or operation of a heliport or helipad.

25 SEC. 3. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.

30 SECTION 1. ~~Section 1797.259 is added to the Health and~~
31 ~~Safety Code, immediately following Section 1797.258, to read:~~

32 ~~1797.259. A city, county, or city and county shall not~~
33 ~~disapprove an application for a permit to build a heliport or helipad~~
34 ~~upon the property of a general acute care hospital until after the~~
35 ~~city, county, or city and county consults with the local EMS agency~~
36 ~~regarding the benefits of air ambulance access for the local EMS~~
37 ~~system and provides the hospital applicant with not less than 90~~
38 ~~days to prepare and provide the city, county, or city and county~~
39 ~~with an independent report that describes the health and safety~~
40 ~~impacts of the proposed heliport or helipad. If the applicant~~

1 provides the independent report, the city, county, or city and county
2 shall discuss the findings of the report in an open meeting before
3 it takes action on the application.

4 ~~SEC. 2. If the Commission on State Mandates determines that~~
5 ~~this act contains costs mandated by the state, reimbursement to~~
6 ~~local agencies and school districts for those costs shall be made~~
7 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
8 ~~4 of Title 2 of the Government Code.~~