

AMENDED IN SENATE JUNE 9, 2014
AMENDED IN ASSEMBLY MAY 23, 2014
AMENDED IN ASSEMBLY APRIL 21, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1621

Introduced by Assembly Members Lowenthal and Rodriguez

February 6, 2014

An act to add Section 1797.119 to the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1621, as amended, Lowenthal. Emergency medical services: data and information system.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, governs local emergency medical ~~service~~ *services* systems. The act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Existing law also creates the Commission on Emergency Medical Services, and requires the commission to perform various duties regarding the authority and emergency medical services.

Existing law requires the authority to develop planning and implementation guidelines for emergency medical services systems that address data collection and evaluation, among other things. Existing law requires the commission to review and approve regulations, standards, and guidelines developed by the authority.

This bill would require the authority to utilize its California Emergency Medical Services Information System (CEMSIS) and adopt

~~minimum standards~~ *a single statewide standard* for the collection of information regarding prehospital care to determine and monitor the quality and effectiveness of the statewide emergency medical services system, compliant with the most current National Emergency Medical Services Information System (NEMSIS) standards, and to avoid unnecessary duplication of data collection at the local level. The bill would require the authority to develop regulations and standards for electronic patient care record systems used by local ~~emergency medical services~~ EMS agencies and local prehospital ~~emergency medical services~~ EMS providers to ensure compatibility with CEMSIS. The bill would require the authority to comply with its provisions on or before July 1, 2016. The bill would require the authority to post proposed rules and to notify the public with regard to commenting on the proposed rules, as specified.

The bill would also require local EMS agencies to submit specified information to the authority. By imposing new duties on local officials, the bill would impose a state-mandated local program.

The bill would provide that all of the above provisions and any rules or regulations adopted pursuant to those provisions would only be implemented to the extent that funds are made available through an appropriation in the annual budget act.

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 1797.119 is added to the Health and
- 2 Safety Code, to read:
- 3 1797.119. (a) (1) In order to fulfill the authority's
- 4 responsibility to assess emergency medical services and their
- 5 effectiveness as required by Section 1797.102, the authority shall
- 6 utilize its California Emergency Medical Services Information
- 7 System (CEMSIS) and adopt ~~minimum standards~~ *a single statewide*

1 *standard* for the collection of information regarding prehospital
2 care to determine and monitor the quality and effectiveness of the
3 statewide emergency medical *services* system, compliant with the
4 most current National Emergency Medical Services Information
5 System (NEMSIS) standards, and to avoid unnecessary duplication
6 of data collection at the local level.

7 (2) The authority shall comply with this section on or before
8 July 1, 2016.

9 (b) (1) The authority shall develop regulations and standards
10 for electronic patient care record systems used by local ~~emergency~~
11 ~~medical services~~ *EMS* agencies and local prehospital ~~emergency~~
12 ~~medical services~~ *EMS* providers to ensure compatibility with
13 CEMSIS, including, but not limited to, a common data dictionary,
14 integration of first responder ~~data and data~~, transport provider
15 data, and patient outcome data, *and* compliant with current
16 NEMSIS standards and privacy requirements in state and federal
17 law. Privacy requirements shall ensure that all patient data obtained
18 from ~~emergency medical service~~ *EMS* providers for the purpose
19 of this section is subject to legal privacy and security standards
20 consistent with privacy and security protections for personal health
21 data in the possession of ~~emergency medical services~~ *EMS*
22 providers under state and federal law.

23 (2) The regulations and standards developed by the authority
24 shall describe ~~minimum~~ standards for the ~~purposes~~ *purpose* of
25 standardizing data ~~collection and encouraging compatibility~~
26 ~~between systems.~~ *collection*. The regulations and standards shall
27 allow the use of any prehospital electronic patient record system,
28 provided that the system is compatible with CEMSIS, compliant
29 with NEMSIS, and meets the standards set by the authority.

30 (3) The authority shall consult with stakeholders in the
31 development of standards and compatibility with CEMSIS,
32 including air ambulance providers and other entities not included
33 in the California Commission on Emergency Medical Services
34 membership.

35 (4) Local ~~emergency medical services~~ *EMS* agencies and local
36 prehospital ~~emergency medical services~~ *EMS* providers that
37 upgrade or purchase an electronic patient care record system on
38 or after the date the authority issues final guidance pursuant to
39 paragraph (1) shall ensure that the system complies with standards
40 contained in that guidance.

1 (c) Local EMS agencies shall submit patient information
 2 consistent with the requirements of paragraph (1) of subdivision
 3 (a) to the authority in a timely manner, using ~~national~~ *NEMESIS*
 4 standards and electronic transfer when available.

5 (d) The authority, in order to exercise the powers and perform
 6 the duties conferred upon it by this chapter, and in accordance with
 7 Chapter 3.5 (commencing with Section 11340) of Part 1 of Division
 8 3 of the Government Code, shall adopt, amend, or repeal any rules,
 9 regulations, or standards as may be necessary.

10 (e) The authority shall post any proposed rules promulgated
 11 under this section on its public Internet Web site no later than 90
 12 calendar days prior to the effective date of the proposed rule, which
 13 shall also include notification to the public regarding how members
 14 of the public may comment, including the date by which those
 15 comments must be received in order to be considered by the
 16 authority.

17 (f) This section and any rules and regulations promulgated
 18 pursuant to this section shall ~~only~~ be implemented *only* to the
 19 extent that funds are made available through an appropriation in
 20 the annual Budget Act.

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

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