



Legislation Details (With Board Report)

File #: A 23-358 **Name:** Department of General Services/Office of Administrative Hearings

Type: BoS Agreement **Status:** Passed

File created: 7/13/2023 **In control:** Board of Supervisors

On agenda: 8/22/2023 **Final action:** 8/22/2023

Title: a. Approve and authorize the Director of Health Services or their designee to execute an Agreement with the Department of General Services/Office of Administrative Hearings for a period of five years from the date of approval and execution by all parties for a total agreement amount not to exceed \$48,000; and
b. Approve non-standard insurance and indemnification provisions as recommended by the Director of Health Services.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Standard Agreement with the Department of General Services/Office of Administrative Hearings, 3. Completed Board Order Item No. 39

Date	Ver.	Action By	Action	Result
8/22/2023	1	Board of Supervisors		

a. Approve and authorize the Director of Health Services or their designee to execute an Agreement with the Department of General Services/Office of Administrative Hearings for a period of five years from the date of approval and execution by all parties for a total agreement amount not to exceed \$48,000; and
b. Approve non-standard insurance and indemnification provisions as recommended by the Director of Health Services.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve and authorize the Director of Health Services or their designee to execute an Agreement with the Department of General Services/Office of Administrative Hearings for a period of five years from the date of approval and execution by all parties for a total agreement amount not to exceed \$48,000; and
b. Approve non-standard insurance and indemnification provisions as recommended by the Director of Health Services.

SUMMARY:

The Health Department seeks authorization to execute an Agreement with the Department of General Services/Office of Administrative Hearings for a period of five years from the date of approval and execution by all parties.

DISCUSSION:

The Medical Director of the County of Monterey Emergency Medical Services (EMS) Agency is the local authority for certifying Emergency Medical Technicians (EMT) in the State of California pursuant to Health and Safety Code, Division 2.5, Section 1797.210 (a). In addition, California Code of Regulations, Title 22, Chapter 6, Section 100209 states that the Medical Director may, “upon determination of disciplinary cause, take certification action against an EMT or Advanced EMT to deny, suspend, or revoke, or place a certificate holder

on probation.”

To ensure due process, California Government Code, Title 2, Division 3, Part 1, Section 11502(a) requires the local EMS Agency to use an Administrative Law Judge in cases where an EMT’s certification is suspended or revoked or if an EMT applicant is denied certification and the applicant appeals the decision of the EMS Medical Director. The Agreement with the Department of General Services/Office of Administrative Hearings provides for Administrative Law Judges should they be needed. The agreement contains non-standard insurance and indemnity provisions because the State is self-insured.

This work is not directly in support of a Health Department strategic initiative, it is in support of one or more of the ten essential public health services, specifically; 7) Link people to needed personal health services and assure the provision of healthcare when otherwise unavailable.

OTHER AGENCY INVOLVEMENT:

County Counsel has approved the Standard Agreement as to legal form.

FINANCING:

There is no cost to the General Fund from this action.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability, and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses, and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Korina Moreno, Administrative Services Assistant, 755-6344

Approved by:

Date: _____

Elsa Mendoza Jimenez, Director of Health Services, 755-4526

Attachments:

Board Report

Standard Agreement with the Department of General Services/Office of Administrative Hearings on file with the Clerk of the Board.