

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

687



FROM: Community Health Agency, Department of Public Health

SUBMITTAL DATE:
April 21, 2010

SUBJECT: Resolution authorizing Riverside County Emergency Medical Services Agency (REMSA) to access state and federal criminal history information of persons applying for initial prehospital emergency medical services certification or licensure

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2010-144

BACKGROUND: On December 10, 2002, the Board adopted Resolution 2002-374 authorizing the REMSA to obtain criminal background information from the California DOJ. At that time, federal background information was not required nor permitted to be received by county-level Emergency Medical Services (EMS) agencies. AB 2917 (amending Health & Safety Code Sections 1797.117 and 1797.118) now mandates that Emergency Medical Technician-I (EMT-I, aka: EMT) certifying agencies conduct state and federal level criminal background checks by July 1, 2010.

On March 2, 2010, the Board adopted item 3.7, Resolution 2010-086, permitting access to criminal background information from both the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). The FBI has now informed Riverside County Emergency Medical Services Agency (REMSA) that they require changes to the resolution, including the specific naming of the personnel class(es) for whom background information is desired.

(continued)

Susan D. Harrington

Susan Harrington, Director of Public Health

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|-----------------------|-------------------------------|------|-------------------------|-------|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ 0 | In Current Year Budget: | N/A |
| | Current F.Y. Net County Cost: | \$ 0 | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$ 0 | For Fiscal Year: | 09/10 |

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|-----------------------------|---|--------------------------|
| SOURCE OF FUNDS: N/A | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| | Requires 4/5 Vote | <input type="checkbox"/> |

C.E.O. RECOMMENDATION:

APPROVE
Debra Cournoyer
BY: _____
Debra Cournoyer

County Executive Office Signature

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

3.22

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS
DATE: [Signature]
Departmental Concurrence

SUBJECT: Resolution authorizing Riverside County Emergency Medical Services (REMSA) Agency to access state and federal criminal history information of persons applying for Emergency Medical Technician-I certification or licensure

BACKGROUND: (Continued). The adoption of this resolution authorizes access to state criminal background information and adds federal criminal information for EMT certification applicants, permitting REMSA to be in compliance with AB 2917 and continue to meet its obligations to ensure the safe delivery of prehospital care in Riverside County.

REMSA is the local emergency medical services agency tasked with ensuring the safety and efficiency of the EMS system. REMSA performs various activities in order to meet this requirement. These activities include but are not limited to the credentialing of EMS personnel in order to make certain that quality patient care is provided to the citizens and visitors of Riverside County.

1 RESOLUTION NO. 2010-144

2 RESOLUTION OF THE BOARD OF SUPERVISORS OF
3 THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA,
4 AUTHORIZING ACCESS TO STATE AND FEDERAL CRIMINAL HISTORY INFORMATION
5 ON PERSONS APPLYING FOR PREHOSPITAL EMERGENCY
6 MEDICAL SERVICES CERTIFICATION OR LICENSURE AS EMERGENCY MEDICAL
7 TECHNICIAN -Is

8 WHEREAS, California Penal Code sections 11105(b)(11) and 13300(b)(11) authorize cities,
9 counties, districts, and joint powers authorities to access state and local summary criminal history
10 information for employment, licensing or certification purposes; and

11 WHEREAS, California Penal Code section 11105(b)(11) authorizes cities, counties, districts, and
12 joint powers authorities to access federal level criminal history information by transmitting fingerprint
13 images and related information to the Department of Justice (DOJ) to be transmitted to the Federal Bureau
14 of Investigation (FBI); and

15 WHEREAS, California Penal Code sections 11105(b)(11) and 13300(b)(11) require the city
16 council, board of supervisors, or governing body of a city, county, district, or joint powers authority to
17 specifically authorize access to summary criminal history information for employment, licensing, or
18 certification purposes; and

19 WHEREAS, California Penal Code sections 11105(b)(11) and 13300(b)(11) require that there be a
20 requirement or exclusion from employment, licensing or certification based on specific criminal conduct
21 on the part of the subject of the record; and

22 NOW THEREFORE, BE IT RESOLVED, that the Riverside County Emergency Medical
23 Services Agency is hereby authorized to access state and federal level summary criminal history
24 information for licensing and certification for Emergency Medical Technician-I (aka: Emergency Medical
25 Technician) purposes and may not disseminate the information to a private entity, and.

26 BE IT FURTHER RESOLVED, that the Riverside County Emergency Medical Services Agency
27 shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible
28 for certification or licensing; except that such conviction may be disregarded if it is determined that

FORM APPROVED COUNTY COUNSEL
BY: Neal R. Kipnis DATE 12/26/10

1 mitigating circumstances exist, or that the conviction is not related to the employment, volunteer or
2 license in question.

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