

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: November 2, 2018

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso *Sharon M. Tso* Council File No:
Chief Legislative Analyst Assignment No: 18-10-0993

SUBJECT: Fire Department Legislative Proposals

CLA RECOMMENDATION: Adopt the attached Resolutions to SUPPORT and/or SPONSOR legislation in the 2019-2020 State Legislative Program, as recommended by the Fire Department.

SUMMARY:

As requested by the Rules, Elections and Intergovernmental Relations Committee, the Fire Department (LAFD) has prepared three proposals for inclusion in the City's 2019-2020 State Legislative Program. These proposals are as follows:

1. Support and/or sponsor legislation that would expand the definition of gravely disabled to include "medical treatment where the lack or failure of such treatment results in substantial physical harm or death" while maintaining safeguards to protect an individual's rights;
2. Support and/or sponsor legislation which would establish guidelines that would enable local Emergency Medical Service (EMS) agencies to establish Community Paramedicine Programs (CPPs); and
3. Support and/or sponsor legislation which would authorize local EMS agencies to allow paramedics and Emergency Medical Technicians (EMTs) to transport patients to community care facilities such as behavioral health facilities or sobering centers instead of to a hospital with an emergency department.

BACKGROUND

Expansion of the Definition of "Gravely Disabled"

In 1968, the Lanterman-Petris-Short Act (LPS) was enacted to provide guidelines for handling the involuntary civil commitment of individuals who, due to mental illness, pose a danger to themselves or to others, or who are gravely disabled. LPS includes California Welfare and Institutions Code section 5000 et seq., which defines gravely disabled. The LAFD recommends the City support and/or sponsor legislation to update this definition to include individuals with serious physical health needs that are fundamental to well-being, such as food, clothing and medicine.

37 other states already include these parameters in their definition of gravely disabled, and legislation to update California's definition would enable more humane treatment of those

suffering mental illness. The City supported similar legislative action during the 2018-2019 State legislative session (Council File No. 18-0002-S11).

Establishment of Community Paramedicine Programs

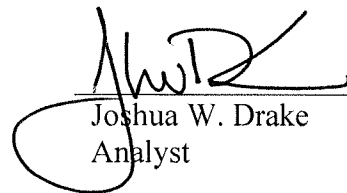
Community Paramedicine Programs (CPPs) enable EMTs and Paramedics to operate in expanded roles in an effort to connect underserved populations with underutilized resources. CPPs allow trained medical professionals to assist underserved communities with access to medical treatment, aid in keeping individuals from regularly visiting emergency departments for care and provide access to specialized care at sobering centers, behavioral health centers, and other specialized care facilities. CPPs ensure that vulnerable patients receive the high quality medical care they need, while keeping them out of emergency departments.

The LAFD recommends that the City support legislation that would allow for local EMS agencies to create CPPs. Currently, the LAFD operates Advanced Provider Response Units (APRUs) which partner a firefighter paramedic with an advanced provider such as a physician’s assistant or nurse practitioner to provide services to underserved communities, in a similar fashion to CPPs. Legislation enabling local authorities to establish CPPs would allow LAFD to expand on these types of services.

EMS Transports to Community Care Facilities

Under existing law, paramedics and EMTs responding to 911 calls are required to direct patients to an emergency department. However, emergency departments state-wide are overburdened, and not all patients require services from emergency departments, and would be better served by specialized facilities, such as sobering centers or behavioral health facilities.

The Fire Department recommends that the City support and/or sponsor legislation that would enable certain patients who meet specified triage criteria to be transported to a behavioral health facility or a sobering center instead of transported to overburdened emergency departments. This would ensure that patients receive appropriate care and that EMS resources are more efficiently used.


Joshua W. Drake
Analyst

SMT:jwd

- Attachments:
1. Resolution to support/sponsor legislation on the definition of gravely disabled
 2. Resolution to support/sponsor legislation authorizing the creation of Community Paramedicine Programs
 3. Resolution to support/sponsor legislation authorizing medical transport of specified patients to community care facilities

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, according to the Los Angeles Homeless Count estimates, at least 30 percent of the homeless individuals in the City of Los Angeles suffer from some form of mental illness; and

WHEREAS, issues of mental illness and mental healthcare are closely intertwined with the homelessness crisis in Los Angeles and there are individuals in such dire need of health and/or mental health care that their lives are in jeopardy; and

WHEREAS, the California Welfare and Institutions Code Section 5000 et seq., defines gravely disabled as “a condition in which a person as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter”; and

WHEREAS, grave disability can be the basis for the court to require treatment of illnesses that are not being treated voluntarily; and

WHEREAS, last year, the Los Angeles County Board Supervisors proposed a change in definition of gravely disabled as “a condition in which a person, as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing, shelter, or medical treatment where the lack or failure of such treatment results in substantial physical harm or death”; and

WHEREAS, because the County is the jurisdiction primarily responsible for the delivery of mental health services, it is in the City's interest to support the effective delivery of these services; and

WHEREAS, the City has supported this change in previous years;

NOW, THEREFORE, BE IT RESOLVED, with concurrence of the Mayor, that by adoption of this resolution, the City of Los Angeles hereby includes in its 2019-2020 State Legislative Program SUPPORT for legislation that would expand the definition of gravely disabled to include "medical treatment where the lack or failure of such treatment results in substantial physical harm or death" while maintaining safeguards to protect an individual's rights.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, current law defines a paramedic as an individual whose scope of practice includes the ability to provide advanced life support, including the administering of specified medicines; and

WHEREAS, paramedics are the first line of emergency medicine, and paramedics often have regular contact with individuals who need specialized medical care; and

WHEREAS, current law requires paramedics to transport most patients to an emergency room, even when other facilities or specialized on site treatment could address their needs; and

WHEREAS, Community Paramedicine Programs (CPPs) have become more popular over recent years and have been successful in getting patients the care they need by allowing paramedics to provide more substantial care, such as tuberculosis monitoring, transport to specialized medical treatment facilities and treatment for chronic health issues; and

WHEREAS, CPPs have many positive results for communities they have been implemented in, have improved health outcomes among the most vulnerable and been cost effective; and

WHEREAS, state law must be changed in order to permit local Emergency Medical Service (EMS) agencies to establish CPPs in their jurisdictions; and

WHEREAS, the Fire Department (LAFD) supports legislation which would authorize local EMS agencies such as the LAFD to establish CPPs;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019 - 2020 State Legislative Program SUPPORT and/or SPONSORSHIP of legislation which would authorize local emergency medical service agencies to establish Community Paramedicine Programs.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, under current law, Emergency Medical Service (EMS) agencies are required to transport patients exhibiting mental health or substance use symptoms under their care to a hospital with an emergency department; and

WHEREAS, current law prohibits Paramedics and Emergency Medical Technicians (EMTs) employed by an EMS agency from transporting these patients to community care facilities, such as mental health urgent care centers and sobering centers; and

WHEREAS, these types of specialized treatment centers employ staff that specialize in helping individuals suffering from mental health issues or under the influence of alcohol or drugs; and

WHEREAS, there are a number of these types of specialized treatment centers in Los Angeles County; and

WHEREAS, requiring Paramedics and EMTs to transport patients suffering from psychiatric issues or exhibiting substance abuse symptoms to hospital emergency departments takes limited resources out of circulation and contributes to emergency room overcrowding across the City; and

WHEREAS, the Fire Department (LAFD) supports legislation which would authorize local EMS agencies such as the LAFD to submit, as part of their emergency plans, a plan to transport specified patients to community care facilities, such as mental health urgent care centers or sobering centers;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019 - 2020 State Legislative Program SUPPORT and/or SPONSORSHIP of legislation which would authorize local emergency medical service agencies to allow Paramedics and Emergency Medical Technicians to transport patients to community care facilities such as behavioral health centers or sobering centers instead of a hospital with an emergency department.