

# EXCLUSIVITY

H&S Code 1797.201

Kurt Henke  
Scott Clough  
Ray Ramirez

AP Triton LLC  
AP Triton LLC  
Ontario City Fire

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## HISTORY OF 1797.201

- EMS Act: primary function was for training and coordination
- Morphed into multiple levels of supervision and control
- LoC requested protection for the tax payers investment into the system
- Garamendi introduced 1797.201 to provide that protection

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## H&S CODE 1797.201

- **1797.201.** Upon the request of a city or fire district that contracted for or provided, as of June 1, 1980, prehospital emergency medical services, a county shall enter into a written agreement with the city or fire district regarding the provision of prehospital emergency medical services for that city or fire district. Until such time that an agreement is reached, prehospital emergency medical services shall be continued at not less than the existing level, and the administration of prehospital EMS by cities and fire districts presently providing such services shall be retained by those cities and fire districts, except the level of prehospital EMS may be reduced where the city council, or the governing body of a fire district, pursuant to a public hearing, determines that the reduction is necessary.
- Notwithstanding any provision of this section the provisions of Chapter 5 (commencing with Section 1798) shall apply.

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## THREE MAJOR COMPONENTS

- The Request
- The Statutory Obligation
- The Level of Service



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Exclusivity  
Vs.  
Anti-trust



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## CAL CHIEFS LAW SUIT

Why Now?



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## QUESTIONS FOR THE FUTURE

- Do We Really Want This?
- What Can We Expect For The Future of The ACA?
- Will GEMT Continue?
- Why Not Just Enter into a Agreement?

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