

**ASSEMBLY BILL**

**No. 805**

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**Introduced by Assembly Member Maienschein**

February 16, 2021

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An act to amend Section 1797.153 of the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 805, as introduced, Maienschein. Personal protective equipment: distribution reports.

Existing law authorizes the county health officer and the local Emergency Medical Services (EMS) agency administrator in each operational area to act jointly as the medical health operational area coordinator (MHOAC) or to jointly appoint another person to fulfill those responsibilities. Existing law requires the MHOAC, in cooperation with various specified local and state agencies, to ensure the development of a medical and health disaster plan for the provision of medical and health mutual aid within the operational area. Existing law requires the MHOAC to assist the agency operational area coordinator in the coordination of medical and health disaster resources within the operational area in the event of a local, state, or federal declaration of emergency.

This bill would require, during a health-related state of emergency in California proclaimed by the President of the United States or by the Governor, the MHOAC to report specified information relating to the distribution of personal protective equipment, as defined, to the Office of Emergency Services on a weekly basis. The bill would require, at all other times, the MHOAC to report that information on a monthly basis. The bill would require the medical and health disaster plan to

include this reporting, as specified. By creating new duties for MHOACs, the bill would impose a state-mandated local program.

The bill would require the Office of Emergency Services to publicly post and update the above information on its internet website according to the same timeframes.

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 the statutory provisions noted above.

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 1797.153 of the Health and Safety Code  
2 is amended to read:

3        1797.153. (a) In each operational-area *area*, the county health  
4 officer and the local EMS agency administrator may act jointly as  
5 the medical health operational area coordinator (MHOAC). If the  
6 county health officer and the local EMS agency administrator are  
7 unable to fulfill the duties of the ~~MHOAC~~ *MHOAC*, they may  
8 jointly appoint another individual to fulfill these responsibilities.  
9 If an operational area has a MHOAC, the ~~MHOAC~~ *MHOAC*, in  
10 cooperation with the county office of emergency services, local  
11 public health department, the local office of environmental health,  
12 the local department of mental health, the local EMS agency, the  
13 local fire department, the regional disaster and medical health  
14 coordinator (RDMHC), and the regional office of the Office of  
15 Emergency Services, shall be responsible for ensuring the  
16 development of a medical and health disaster plan for the  
17 operational area. The medical and *health* disaster plans shall follow  
18 the Standard Emergency Management System and National  
19 Incident Management System. The MHOAC shall recommend to  
20 the operational area coordinator of the Office of Emergency  
21 Services a medical and health disaster plan for the provision of  
22 medical and health mutual aid within the operational area.

1       (b) For purposes of this section, “operational area” has the same  
2 meaning as that term is defined in subdivision (b) of Section 8559  
3 of the Government Code.

4       (c) The medical and health disaster plan shall include  
5 preparedness, response, recovery, and mitigation functions  
6 consistent with the State Emergency Plan, as established under  
7 Sections 8559 and described in Section 8560 of the Government  
8 Code, and, at a minimum, the medical and health disaster plan,  
9 policy, and procedures shall include all of the following:

10      (1) Assessment of immediate medical needs.

11      (2) Coordination of disaster medical and health resources,  
12 *resources, including reporting to the Office of Emergency Services*  
13 *as specified in subdivision (f).*

14      (3) Coordination of patient distribution and medical evaluations.

15      (4) Coordination with inpatient and emergency care providers.

16      (5) Coordination of out-of-hospital medical care providers.

17      (6) Coordination and integration with fire agencies personnel,  
18 resources, and emergency fire prehospital medical services.

19      (7) Coordination of providers of nonfire based prehospital  
20 emergency medical services.

21      (8) Coordination of the establishment of temporary field  
22 treatment sites.

23      (9) Health surveillance and epidemiological analyses of  
24 community health status.

25      (10) Assurance of food safety.

26      (11) Management of exposure to hazardous agents.

27      (12) Provision or coordination of mental health services.

28      (13) Provision of medical and health public information  
29 protective action recommendations.

30      (14) Provision or coordination of vector control services.

31      (15) Assurance of drinking water safety.

32      (16) Assurance of the safe management of liquid, solid, and  
33 hazardous wastes.

34      (17) Investigation and control of communicable disease.

35      (d) In the event of a local, state, or federal declaration of  
36 emergency, the MHOAC shall assist the agency operational area  
37 coordinator in the coordination of medical and health disaster  
38 resources within the operational area, and be the point of contact  
39 in that operational area, for coordination with the RDMHC, the

1 agency, the regional office of the agency, the State Department of  
2 Public Health, and the authority.

3 (e) ~~Nothing in this section shall be construed to~~ *This section*  
4 does not revoke or alter the current authority for disaster  
5 management provided under either of the following:

6 (1) The State Emergency-~~Plan~~ *Plan*, established pursuant to  
7 Section 8560 of the Government Code.

8 (2) The California standardized emergency management-~~system~~  
9 system, established pursuant to Section 8607 of the Government  
10 Code.

11 (f) (1) *During any health-related state of emergency in*  
12 *California proclaimed by the President of the United States or*  
13 *health-related state of emergency proclaimed by the Governor,*  
14 *the MHOAC shall report the information described in paragraph*  
15 *(2) to the Office of Emergency Services on a weekly basis. At all*  
16 *other times, the MHOAC shall report that information to the Office*  
17 *of Emergency Services on a monthly basis.*

18 (2) *The MHOAC shall report the following information to the*  
19 *Office of Emergency Services according to the timeframes specified*  
20 *in paragraph (1):*

21 (A) *The locations, including the name and address of the facility,*  
22 *to which personal protective equipment has been distributed.*

23 (B) *The type of personal protective equipment distributed to*  
24 *each of the locations identified in subparagraph (A).*

25 (C) *The allocations of each type of personal protective*  
26 *equipment distributed to each of the locations identified in*  
27 *subparagraph (A).*

28 (g) *During any health-related state of emergency in California*  
29 *proclaimed by the President of the United States or health-related*  
30 *state of emergency proclaimed by the Governor, the Office of*  
31 *Emergency Services shall publicly post and update the information*  
32 *specified in paragraph (2) of subdivision (f) on its internet website*  
33 *on a weekly basis. At all other times, the Office of Emergency*  
34 *Services shall publicly post and update that information on its*  
35 *internet website on a monthly basis.*

36 (h) *For purposes of this section, “personal protective*  
37 *equipment” means all of the following:*

38 (1) *N95 filtering facepiece respirators.*

39 (2) *Powered air-purifying respirators with high-efficiency*  
40 *particulate air filters.*

1     (3) *Elastomeric air-purifying respirators with appropriate*  
2 *particulate filters or cartridges.*

3     (4) *Surgical masks.*

4     (5) *Isolation gowns.*

5     (6) *Eye protection.*

6     (7) *Shoe coverings.*

7     (8) *Gloves.*

8     SEC. 2. If the Commission on State Mandates determines that  
9     this act contains costs mandated by the state, reimbursement to  
10    local agencies and school districts for those costs shall be made  
11    pursuant to Part 7 (commencing with Section 17500) of Division  
12    4 of Title 2 of the Government Code.