



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**C-10**

For the meeting of: June 20, 2017

Date: May 19, 2017

To: Board of Supervisors

From: Connie Beck, Director *MS for Connie Beck*  
Department of Health and Human Services

Subject: Approval of MOU with North Coast Emergency Medical Services (NCEMS) for Continuation of Supplemental Emergency Medical Services (Maddy/Pediatric Richie) Funds.

RECOMMENDATION(S):

That the Board of Supervisors: Approve and authorize the Department of Health and Human Services – Public Health Director to sign the MOU between Humboldt County and NCEMS for the distribution of the Maddy/ Pediatric Richie Fund.

SOURCE OF FUNDING:

Public Health Fund

DISCUSSION:

On September 20, 2006 the Governor signed into law Senate Bill 1773 (Alarcon), Fines and Forfeitures, which allows a County Board of Supervisors to elect to levy an additional penalty in the amount of two dollars for every ten dollars of fines, penalties, and forfeitures collected by the Courts for criminal offenses, such as driving under the influence, to provide additional funds for the County Emergency Medical Services Fund. On June 26, 2007 your Board adopted Resolution No. 07-48 approving the additional penalties. The purpose of these funds is to offset the costs of uncompensated emergency care for hospitals

Prepared by Bill Linn, Administrative Analyst II

CAO Approval *[Signature]*

REVIEW:

Auditor *MBM*

County Counsel *JN*

Human Resources *KKR*

Other

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Other

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor *Fennell* Seconded by Supervisor *Wilson*

- Ayes *Sundberg, Fennell, Bass, Bohn, Wilson*
- Nays
- Abstain
- Absent

PREVIOUS ACTION/REFERRAL:

Board Order No. C-16, D-15, D-9, C-10

Meeting of: 6/26/07; 8/6/08; 3/10/09; 12/3/13

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *June 20, 2017*

By: *[Signature]*  
Kathy Hayes, Clerk of the Board

and physicians. These funds are known as “Maddy Funds.”

Senate Bill 1773 also requires that fifteen (15) percent of the funds collected be expended for pediatric trauma centers, or in counties without a pediatric trauma center, to improve access to and coordination of pediatric trauma and emergency services in the county with preference for funding given to hospitals that specialize in services to children, and physicians/surgeons who provide emergency care for children. Funds under this section of the Bill are known as the “Pediatric Richie Fund.”

With the adoption of Resolution No. 07-48 the Department of Health and Human Services determined that the most effective way to utilize Maddy/Pediatric Richie monies was to contract with NCEMS to administer these funds. Your Board approved the first MOU with NCEMS on May 6, 2008 for the period of July 1, 2007 through January 1, 2009. The second MOU was approved by your Board on March 10, 2009 for the period of January 1, 2009 through January 1, 2014. In October 2013 Senate Bill 191 (Padilla, Emergency Medical Services) extended the funding of the Maddy/Pediatric Richie funds through January 1, 2017. A First Amendment to extend the MOU with NCEMS was approved by your Board on December 3, 2013.

In August 2016 Senate Bill No. 867 (Roth, Maddy Fund Extension) was signed by the Governor extending Maddy/Pediatric Richie funds through January 1, 2027. NCEMS notified the Public Health Director of the communities desire to continue to make these funds accessible to local providers to offset uncompensated costs related to emergency care provided by local hospitals and physicians. This MOU is effective January 1, 2017 through January 1, 2027. Due to a change in leadership this request was inadvertently not processed timely which is why the department is bringing this MOU to the Board at this time.

FINANCIAL IMPACT:

The funding to support the MOU with NCEMS was included in the proposed county budget in Fund 1175, budget unit 410, Emergency Medical Services for FY 2017-18, and will be included in the annual budgeting process for FY 2018-19 through FY 2026-27. Expenditures are based on percentages of funds received in both Richie and Maddy funds.

This MOU supports the Board’s Strategic Framework by protecting vulnerable populations and providing community-appropriate levels of service.

OTHER AGENCY INVOLVEMENT:

North Coast Emergency Services

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to approve the MOU with NCEMS. However this is not recommended as it would decrease funding and services to the community.

ATTACHMENTS:

1. Memorandum of Understanding with NCEMS - 2017
2. Humboldt County Resolution No, 07-48
3. Memorandum of Understanding with NCEMS – 2008
4. Memorandum of Understanding with NCEMS - 2009
5. First Amendment to Extend the Memorandum of Understanding with NCEMS - 2013

**Memorandum of Understanding  
between  
North Coast Emergency Medical Services  
and  
County of Humboldt**

This Memorandum of Understanding ("MOU") is made and entered into this 15th day of May, 2017 by and between County of Humboldt, a political subdivision of the State of California, through its Department of Health and Human Services, hereinafter referred to as "DHHS" and North Coast Emergency Medical Services, a Joint Powers Authority, hereinafter referred to as "NCEMS".

**1. Purpose**

In 2006 Senate Bill No. 1773 amended Section 76000.5 of the Government Code and Section 1797.98a of the Health and Safety Code allowing counties to increase in penalties of specific offenses which are deposited into the County's Emergency Medical Services "Maddy" Fund. A portion of these assessments are used for access to and coordination of pediatric trauma and emergency services in those counties without a pediatric trauma center. Funds spent for these purposes are known as "Richie's Fund". Humboldt County Board of Supervisors adopted Resolution 07-48 that establish additional penalty assessments for the Maddy Fund on June 26, 2007.

At the direction of the Humboldt County Board of Supervisors DHHS was assigned the responsibility to monitor and to utilize these monies. NCEMS has been contracted to administer these funds.

**2. Term**

This agreement will begin January 1, 2017 and shall be in effect through January 1, 2027. In the event such funding is terminated or reduced, DHHS shall determine whether this MOU shall be terminated or DHHS's maximum obligation be reduced. DHHS shall provide NCEMS seven (7) days written notice of its intent to terminate this MOU or its intent to reduce its maximum obligation under this MOU.

**3. NCEMS Responsibilities**

- a) Continue to maintain a separate Richie's Fund line-item in their budget with preference given for equal distribution to each of the hospitals located within Humboldt County. NCEMS shall continue to distribute the Richie's Fund monies with preference given to designated Emergency Department Approved for Pediatric ("EDAP") standards or, with justification, based on NCEMS recommendation and approval of the Joint Power Authority ("JPA") Governing Board to non-EDAP hospitals located in Humboldt County that can justify reasons for not pursuing EDAP designation and agree to verify use of funds to enhance emergency medical care of children.
- b) As funding and staff time permit:

- i. Conduct EDAP site visits, monitor designated EDAPs and promote EDAP designation.
  - ii. Designate eligible EDAPs.
  - iii. Update EDAP standards and other pediatric related protocols and policies as needed.
  - iv. Utilize Richie's Fund monies as provided for in Health and Safety Code Section 1797.98a(e).
- c) Agree to provide semi-annual reports summarizing the distribution of Richie's Fund monies to the Public Health Director.

**4. DHHS Responsibilities:**

- a) Track Richie's Fund monies separate from Maddy Fund monies to properly track revenue streams.
- b) Submit Richie's Fund payments to NCEMS on a quarterly basis for distribution to eligible hospitals as decided by existing protocol.
- c) DHHS obligations under this agreement are contingent upon the availability of statutorily authorized funds. In the event such funding is terminated or reduced, DHHS shall determine whether this MOU be terminated or DHHS maximum obligation be reduced. DHHS shall provide notice to NCEMS as set forth in Section 5 of this MOU.

**5. Notices and Reports**

Notices and reports shall be given to the COUNTY at the following address:

Department of Health & Human Services  
Public Health – Attention: Director  
529 I Street  
Eureka, CA 95501

Notices shall be given to NCEMS at the following address:

NCEMS  
Attention: Executive Director  
3340 Glenwood St  
Eureka CA 95501

**6. Hold Harmless and Indemnification**

Parties to this MOU shall indemnify, defend and hold harmless the other parties hereto and their officers, agents, and employees, from any and all claims, demands, losses, damages, and liabilities of any kind or nature, including attorney's fees, which arise by the virtue of its negligent or willful acts of misconduct or omissions (either directly or through or by its officers, officials, employees, or volunteers) in connection with its duties and obligations under this MOU and any amendments, except such loss or damage which was caused by the sole negligence or willful misconduct of either party.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of the date above written.

**NORTH COAST EMERGENCY SERVICES:**

By:  Date: 5/15/17  
Larry Karsteadt, Executive Director

**COUNTY OF HUMBOLDT:**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Michele Stephens, Public Health Director  
*Pursuant to delegation of authority by the  
Board of Supervisors on \_\_\_\_\_, 2017*

REVIEWED AND APPROVED

By:  Date: 5/22/17  
Risk Analyst

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA  
Certified copy of portion of proceedings; Meeting on June 26, 2007

RESOLUTION NO. 07-48

**RESOLUTION APPROVING AN INCREASE IN PENALTIES ON SPECIFIC OFFENSES INCLUDING MOVING TRAFFIC VIOLATIONS BY TWO DOLLARS FOR EVERY TEN DOLLARS COLLECTED, TO PROVIDE ADDITIONAL FUNDS FOR EMERGENCY SERVICES, INCLUDING SPECIFIC FUNDS FOR PEDIATRIC EMERGENCY CARE**

**WHEREAS**, the Board of Supervisors previously established the Emergency Medical Services (EMS) "Maddy" Fund for the deposit of certain penalty assessments collected pursuant to Section 1465 of the Penal Code, and authorized the specific allocation of all penalty assessment revenues to be distributed among certain funds, including the EMS Fund; and

**WHEREAS**, Government Code Section 76000.5 as added by Chapter 841 of the Statutes of 2006 provides that the County may impose an additional penalty of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, upon various fines, penalties and forfeitures collected by the courts for criminal offenses to be used to provide additional funds to the Fund; and

**WHEREAS**, Health and Safety Code Section 1979.98a as amended by Chapter 841 of the Statutes of 2006 provides that of the money deposited into the EMS Fund pursuant to Section 76000.5 of the Government Code, fifteen percent (15%) shall be utilized to provide funding for all pediatric trauma centers throughout the County, both publicly and privately owned and operated, provided, however, that counties that do not maintain a pediatric trauma center shall utilize the money deposited into the Fund to improve access to, and coordination of, pediatric trauma and emergency services in the County, with preference given for funding to be given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care for children; and, that the costs of administering money deposited into the Fund pursuant shall be reimbursed from the money collected, not to exceed ten percent (10%).

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, that pursuant to Government Code Section 76000.5, on July 1, 2007 and thereafter, there shall be levied, in addition to the penalties prescribed by Government Code Section 76000, an additional penalty assessment of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, which shall be collected, together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including violations of Division 9 (commencing with Section 23000) of the Business and Professions Code relating to the control of alcoholic beverages, and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except parking offenses subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code. Said additional money collected shall be taken from fines and forfeitures deposited with the County Treasurer prior to any divisions pursuant to Section 1463 of the Penal Code.

**BE IT FURTHER RESOLVED AND ORDERED**, that all such additional assessments collected pursuant to Section 76000.5 of the Government Code shall be transferred to the Treasurer of the County of Humboldt for deposit and account into the EMS "Maddy" Fund, and payments from the Emergency Medical Services Fund shall, in accordance with the requirements of Health and Safety Code Section 1979.98a, et seq., after reimbursement of costs of administering the Fund, which amount shall not exceed ten percent (10%) of the money collected, be distributed as follows:

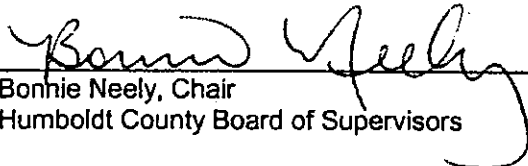
- A. *Of the total additional assessment amount collected, reduced by the amount for administration, fifteen (15%) shall be used to improve access to, and coordination of, pediatric trauma and emergency services in the County, with preference for funding given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care for children. Funds spent for the purposes identified herein, shall be known as Richie's Fund, which shall remain in effect only until January 1, 2009, and shall have no force or effect on or after the date, unless a later enacted statute, that is chaptered before January 1, 2009, deletes or extends that date.*

B. The balance of the remaining eighty-five percent (85%) of the funds collected shall be distributed as follows:

1. Fifty-eight percent (58%) to physicians and surgeons for emergency medical services provided by all physicians and surgeons in general acute care hospitals that provide basic or comprehensive emergency services up to the time the patient is stabilized.
2. Twenty-five (25%) to hospitals providing disproportionate trauma and emergency medical care services.
3. Seventeen percent (17%) for other emergency medical services purposes to the North Coast Emergency Medical Services Agency to administer the EMS system.

**BE IT FURTHER RESOLVED AND ORDERED**, that the Clerk of the Board is hereby directed to transmit to the Treasurer/Tax Collector and the Humboldt County Superior Court, a copy of this Resolution.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of June, 2007 at a regular meeting of the Humboldt County Board of Supervisors, State of California, by the following vote:

  
\_\_\_\_\_  
Bonnie Neely, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Smith, seconded by Supervisor Geist and the following vote:

AYES: Supervisors: Smith, Geist, Neely, Rodoni

NAES: Supervisors:

ABSENT: Supervisors: Woolley

STATE OF CALIFORNIA        )  
  ) SS  
County of Humboldt         )

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

KATHY HAYES  
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By: \_\_\_\_\_  
KATHY HAYES

Date: June 26, 2007

By: Mikki Turner  
Deputy



**Memorandum of Understanding between North Coast Emergency Medical Services and the Humboldt County Department of Health and Human Services, Public Health Branch**

**Pediatric Richie Fund**

THIS Memorandum of Understanding (MOU) is entered into by and between Humboldt County, a political subdivision of the State of California, through its Department of Health and Human Services, hereafter referred to as "DHHS" and North Coast Emergency Medical Services, a Joint Powers Authority, hereinafter referred to as "NCEMS."

WHEREAS, the State of California adopted Senate Bill No. 1773 that amends Section 76000.5 of the Government Code and Section 1797.98a of the Health and Safety Code relating to county penalties; and

WHEREAS Senate Bill 1773 authorized the increase in penalties on specific offenses which are deposited into the County's Emergency Medical Services "Maddy" Fund. A certain amount of these assessments shall be used for access to and coordination of pediatric trauma and emergency services in those counties without a pediatric trauma center. Funds spent for these purposes shall be known as Richie's Fund. The Humboldt County Board of Supervisors adopted Resolution No. 07-48 establishing the additional penalty assessments for the Richie's Fund on June 26, 2007; and

WHEREAS, NCEMS previously adopted Emergency Department Approved for Pediatric (EDAP) standards for hospitals located in the NCEMS region that specialize in services to children, hereafter referred to as EDAP; and

WHEREAS, NCEMS is the "local EMS Agency" or Local Enforcement Medical Services Agency (LEMSA) responsible for carrying out county delegated LEMSA functions; and

WHEREAS, the Humboldt County Board of Supervisors and DHHS desire that NCEMS carry out and promote EMS for children or pediatric related enhancements to the EMS system;

**NOW, THEREFORE, IT IS AGREED** by and between the parties hereto as follows:

1. NCEMS shall establish and maintain a separate Richie's Fund line-item in their budget with preference given for equal distribution to each of the hospitals located within Humboldt County. NCEMS shall distribute the Richie's Fund monies with preference given to designated EDAPs or, with justification, NCEMS recommendation and approval of the Joint Power Authority (JPA) Governing Board to non-EDAP hospitals located in Humboldt County that can justify reasons for not pursuing EDAP designation and agree to verify use of funds to enhance emergency medical care of children.
2. NCEMS shall, as funding and staff time permit:
  - a. Conduct EDAP site visits, monitor designated EDAPs and promote EDAP designation.
  - b. Designate eligible EDAPs.
  - c. Update EDAP standards & other pediatric related protocols & policies as needed.
  - d. Utilize Richie's Fund monies as provided for in Health & Safety Code section 1797.98a(e).



3. DHHS shall track Richie's Fund monies separately from Maddy fund monies to properly track revenue streams.
4. DHHS shall submit Richie's Fund payments to NCEMS on a quarterly basis for distribution to eligible hospitals.
5. NCEMS agrees to provide semi-annual reports summarizing the distribution of Richie's Fund monies.
6. DHHS's obligations under this agreement are contingent upon the availability of statutorily authorized funds. In the event such funding is terminated or reduced, DHHS shall determine whether this Memorandum of Understanding be terminated or DHHS's maximum obligation reduced. DHHS shall provide NCEMS seven (7) days written notice of its intent to terminate this Memorandum of Understanding or its intent to reduce its maximum obligation under this Memorandum of Understanding.

The term of this MOU shall be from July 1, 2007 until January 1, 2009.

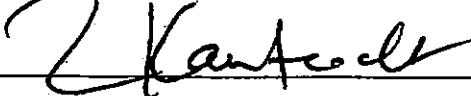
**Department of Health and Human Services:**

BY: \_\_\_\_\_

Alexandra Wineland, Director  
Public Health Branch

Date

**North Coast EMS:**

BY:  2/22/08

Larry Karsteadt, Executive Director  
North Coast Emergency Medical Services

Date

2/20/2008 2:25 PM

Memorandum of Understanding between North Coast Emergency Medical Services and the Humboldt County Department of Health and Human Services, Public Health Branch

**Extension of Pediatric Richie Fund**

THIS Memorandum of Understanding (MOU) is entered into by and between Humboldt County, a political subdivision of the State of California, through its Department of Health and Human Services, hereafter referred to as "DHHS" and North Coast Emergency Medical Services, a Joint Powers Authority, hereinafter referred to as "NCEMS."

WHEREAS, the State of California adopted Senate Bill No. 1773 that amended Section 76000.5 of the Government Code and Section 1797.98a of the Health and Safety Code relating to county penalties; and

WHEREAS Senate Bill No. 1773 authorized an increase in penalties on specific offenses which are deposited into the County's Emergency Medical Services "Maddy" Fund. A certain amount of these assessments are used for access to and coordination of pediatric trauma and emergency services in those counties without a pediatric trauma center. Funds spent for these purposes are known as Richie's Fund. The Humboldt County Board of Supervisors adopted Resolution No. 07-48 establishing the additional penalty assessments for the Richie's Fund on June 26, 2007; and

WHEREAS, NCEMS previously adopted Emergency Department Approved for Pediatric (EDAP) standards for hospitals located in the NCEMS region that specialize in services to children, hereafter referred to as EDAP; and

WHEREAS, NCEMS is the "local EMS Agency" or Local Enforcement Medical Services Agency (LEMSA) responsible for carrying out county delegated LEMSA functions; and

WHEREAS, Governor Schwarzenegger signed into law Senate Bill No. 1236, Padilla, on July 3, 2008; and

WHEREAS, Senate Bill No. 1236, Padilla, extends all provisions of Senate Bill No. 1773 which established the additional penalty assessments for the Richie's Fund from January 1, 2009 to January 1, 2014; and

WHEREAS, the Humboldt County Board of Supervisors and DHHS desire that NCEMS carry out and promote EMS for children or pediatric related enhancements to the EMS system;

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. NCEMS will continue to maintain a separate Richie's Fund line-item in their budget with preference given for equal distribution to each of the hospitals located within Humboldt County. NCEMS shall continue to distribute the Richie's Fund monies with preference given to designated EDAPs or, with justification, NCEMS recommendation and approval of the Joint Power Authority (JPA) Governing Board to non-EDAP hospitals located in Humboldt County that can justify reasons for not pursuing EDAP designation and agree to verify use of funds to enhance emergency medical care of children.
2. NCEMS shall, as funding and staff time permit:
  - a. Conduct EDAP site visits, monitor designated EDAPs and promote EDAP designation.

- b. Designate eligible EDAPs.
  - c. Update EDAP standards & other pediatric related protocols & policies as needed.
  - d. Utilize Richie's Fund monies as provided for in Health & Safety Code section 1797.98a(e).
3. NCEMS agrees to provide semi-annual reports summarizing the distribution of Richie's Fund monies.
  4. DHHS shall track Richie's Fund monies separately from Maddy fund monies to properly track revenue streams.
  5. DHHS shall submit Richie's Fund payments to NCEMS on a quarterly basis for distribution to eligible hospitals.
  6. DHHS's obligations under this agreement are contingent upon the availability of statutorily authorized funds. In the event such funding is terminated or reduced, DHHS shall determine whether this Memorandum of Understanding be terminated or DHHS's maximum obligation reduced. DHHS shall provide NCEMS seven (7) days written notice of its intent to terminate this Memorandum of Understanding or its intent to reduce its maximum obligation under this Memorandum of Understanding.

The term of this Pediatric Richie Fund MOU that extends the current Pediatric Richie Fund MOU shall be from January 1, 2009 to January 1, 2014.

**Department of Health and Human Services:**

BY: Alexandra Wineland 3/19/09  
 Alexandra Wineland, Director  
 Public Health Branch  
 Date

**North Coast EMS:**

BY: Larry Karsteadt 2/19/09  
 Larry Karsteadt, Executive Director  
 North Coast Emergency Medical Services  
 Date

2/17/2009 8:33 AM

RECEIVED  
 BOARD OF SUPERVISOR.

MAR 23 2009  
 AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

**FIRST AMENDMENT  
MEMORANDUM OF UNDERSTANDING  
BY AND BETWEEN  
NORTH COAST EMERGENCY MEDICAL SERVICES  
AND  
COUNTY OF HUMBOLDT**

This, the First Amendment to that certain Memorandum of Understanding dated January 1, 2009, by and between North Coast Emergency Medical Services and County of Humboldt, is entered into this \_\_\_\_ day of December, 2013.

WHEREAS, the parties desire to amend their Memorandum of Understanding dated January 1, 2009 in order to extend the term thereof.

NOW THEREFORE, the parties mutually agree as follows:

1. The last paragraph of the above-referenced Memorandum of Understanding is hereby amended to read as follows:

The term of this Agreement shall begin on **January 1, 2009** and shall remain in full force and effect until **December 31, 2017**, unless sooner terminated as provided herein.

2. Except as modified herein, the above-referenced Memorandum of Understanding shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date above written.

**NORTH COAST EMERGENCY SERVICES:**

By:   
Larry Karsteadt, Executive Director


Date 10/24/13

**COUNTY OF HUMBOLDT:**

By: \_\_\_\_\_  
Susan Buckley, Public Health Director  
*Pursuant to delegation of authority by the  
Board of Supervisors on \_\_\_\_\_, 2013*

Date \_\_\_\_\_

APPROVED AS TO FORM:

By:   
Deputy County Counsel

Date 11/1/13

REVIEWED AND APPROVED:

By: \_\_\_\_\_  
Risk Analyst

Date \_\_\_\_\_