

1 [Contract with the State of California Office of Administrative Hearings to Provide
2 Administrative Law Judges to Serve as Hearing Officers on Administrative Appeals]

3 **Resolution authorizing the Department of Emergency Management to enter into a**
4 **contract with the State of California Office of Administrative Hearings to provide**
5 **administrative law judges to serve as hearing officers on administrative appeals from**
6 **certification actions by the San Francisco Emergency Medical Services Agency.**

7
8 WHEREAS, The State of California adopted revised regulations for Emergency Medical
9 Technicians (EMTs) effective July 1, 2010, called the "EMT 2010"; and

10 WHEREAS, County Emergency Medical Services Agencies (EMSAs) are charged with
11 certifying EMTs, and must offer administrative appeals related to certification actions; and

12 WHEREAS, Under the EMT 2010, EMSAs are legally required to use Administrative
13 Law Judges (ALJs) from the State of California Office of Administrative Hearings (OAH) as the
14 hearing officer for administrative appeals; and

15 WHEREAS, EMSAs must contract with OAH to obtain those ALJ services, and the
16 OAH requires parties contracting for ALJ services to use its form agreement without
17 modification. Accordingly, the proposed agreement with OAH does not include many of the
18 standard contract provisions required under San Francisco law; and

19 WHEREAS, The OAH form agreement does not set any term and the San Francisco
20 EMSA requests authorization for a term of 20 years, to facilitate access to legally-required
21 ALJ services for administrative appeals; and

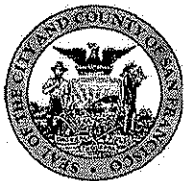
22 WHEREAS, The form agreement allows either party to terminate the agreement with
23 60 days advance written notice; and

1 WHEREAS, A copy of the OAH agreement, along with a letter from OAH describing its
2 services, is on file with the Clerk of the Board of Supervisors in File No. 101036,
3 which is hereby declared to be a part of this resolution as if set forth fully herein; and

4 WHEREAS, The San Francisco EMSA is a division of the Department of Emergency
5 Management; now, therefore, be it

6 RESOLVED, That the San Francisco Board of Supervisors hereby authorizes the
7 Executive Director of the Department of Emergency Management, or designee, to enter into
8 an agreement with the State of California Office of Administrative Hearings, using the form
9 agreement from OAH, on behalf of the City and County of San Francisco, and to take any
10 other steps needed to obtain ALJ services from OAH; and, be it

11 FURTHER RESOLVED, That the agreement with OAH shall have a term of 20 years
12 from the date the parties enter the agreement.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101036

Date Passed: October 05, 2010

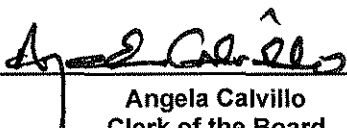
Resolution authorizing the Department of Emergency Management to enter into a contract with the State of California Office of Administrative Hearings to provide administrative law judges to serve as hearing officers on administrative appeals from certification actions by the San Francisco Emergency Medical Services Agency.

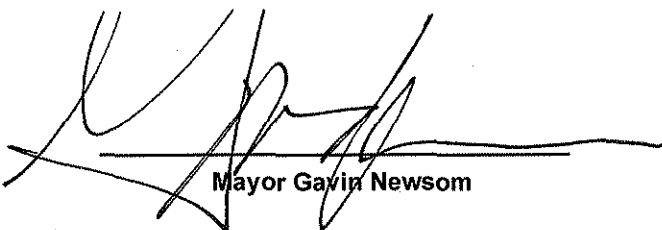
October 05, 2010 Board of Supervisors - ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101036

I hereby certify that the foregoing Resolution was ADOPTED on 10/5/2010 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor Gavin Newsom

October 14, 2010
Date Approved