



Agenda Report

Fullerton City Council

MEETING DATE: JANUARY 20, 2026

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: ADAM LOESER, FIRE CHIEF

PREPARED BY: ANDREW YANG, ADMINISTRATIVE ANALYST II

SUBJECT: RETAINED AUTHORITY TO DELIVER PREHOSPITAL EMS SERVICES UNDER HEALTH AND SAFETY CODE SECTION 1797.201

SUMMARY

Staff requests City Council affirm Fullerton's retained administrative authority for emergency medical services (EMS) under Health and Safety Code Section 1797.201.

PROPOSED MOTION

Adopt Resolution No. 2026-XXX.

RESOLUTION NO. 2026 – XXX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AFFIRMING THE CITY'S RETAINED AUTHORITY TO ADMINISTER PREHOSPITAL EMERGENCY MEDICAL SERVICES CONSISTENT WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 1797.201.

ALTERNATIVE OPTIONS

- Approve the Proposed Motion
- Do not approve the Proposed Motion
- Other options brought by City Council.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

None.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

FISCAL IMPACT

None.

BACKGROUND AND DISCUSSION

The California Emergency Medical Services Act (Health and Safety Code, Division 2.5) establishes a statewide framework for the organization and delivery of prehospital emergency medical services, including medical control, clinical protocols, and EMS personnel and provider regulations. Health and Safety Code Section 1797.201 recognizes that certain cities and fire districts that were providing or contracting for prehospital EMS as of June 1, 1980, retain the authority to provide or administer those services within their jurisdictions. This authority remains in place until the city or fire district enters into a written agreement transferring that authority to the county, pursuant to Section 1797.200. Under this provision, the City must maintain the same level of EMS service that was provided in 1980 until an agreement is reached with the County.

The City position, based on available historical records, shows Fullerton contracted for or provided prehospital EMS as of June 1, 1980 and has continuously provided services at the same level or higher since that date. Fullerton retained prehospital EMS administrative control without entering into a Section 1797.201 agreement transferring administration to the County of Orange. Service delivery has evolved over time and the City intends to provide continuous prehospital EMS provision consistent with applicable law. The City will document the level of service and retained authority through City Council action as the City enters the final stages for transition from a contracted model to a City-staffed ambulance service.

The proposed resolution asserts and documents the City position regarding retained administrative authority over prehospital EMS organization and delivery, including the decision to provide transport services directly through City staffing. Crucially, this resolution affirms the City commitment to maintaining continuous prehospital EMS delivery at no less than the level of service provided as of June 1980 throughout and following this transition in compliance with state law. The proposed resolution also clarifies the distinction between administrative and medical authority. The City recognizes that medical control and clinical standards (including clinical protocols, scope of practice and licensure) remain governed by state law and County policy. The resolution does not alter these medical control obligations and authority. This authority relates solely to the 911 emergency response system and is not intended to address non-emergency services, such as inter-facility transfer or scheduled critical care transport, provided by private ambulance providers.

Staff recommends City Council action at this time because the Fullerton Municipal Code does not contain an explicit statement of this retained authority. Historically, the City

adopted ordinances regulating private ambulance services, including a certificate framework and related operating requirements (Ordinance 964, October 1958), but later repealed the municipal code chapter related to ambulances (Ordinance 1364, July 1964). This resolution remedies the absence in current Municipal Code language by explicitly affirming the City's retained statutory rights. Staff recommends proceeding with a narrowly focused resolution to affirm the City statutory position. Staff consulted with the City Attorney's Office in preparing this report and approved the proposed resolution as to form. Staff will return with a separate item for City Council consideration if it deems a Municipal Code amendment useful.

Attachments:

- Attachment 1 – Resolution No. 2026-XXX

cc: Interim City Manager Eddie Manfro