
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 2092 (Rodriguez) - Emergency ambulance employees: subsidized protective gear

Version: July 16, 2020

Urgency: No

Hearing Date: August 13, 2020

Policy Vote: L., P.E. & R. 4 - 1

Mandate: Yes

Consultant: Robert Ingenito

Bill Summary: AB 2092 would require emergency ambulance employers to establish a program to provide stipends to EMT employees who wish to purchase multi-threat body protective gear.

Fiscal Impact: The Department of Industrial Relations (DIR) indicates that it would incur a one-time cost of \$180,000 to implement the provisions of the bill (Labor Enforcement and Compliance Fund). The bill would not have additional costs to the State, as it only would apply to private sector emergency ambulance providers.

Background: Current law requires every employer to “furnish and use safety devices and safeguards” to keep an employee and their place of work safe. Generally, Cal/OSHA, within DIR, enforces workplace safety laws, including (1) the above provision, and (2) the requirement that an employer have an injury and illness prevention program.

The ambulance services industry employs tens of thousands of employees statewide. Data from the California Ambulance Association indicate that roughly 75 percent of ambulances are operated by private providers. Research and available statistics suggest that emergency ambulance employees have a higher injury rate than that of other occupations.

Proposed Law: This bill would, among other things do the following:

- Define “Emergency Ambulance Provider” to mean an employer that provides ground ambulance services, but does not include the state or any political subdivision of the State of California.
- Allow an emergency ambulance provider to establish a voluntary protective personal equipment (PPE) program that allows for the purchase of multithreat body protective gear by an emergency ambulance employee, as defined, pursuant to an employer-funded stipend. An emergency ambulance employee’s participation must be voluntary.
- Define “Multithreat body protective gear” to mean material or equipment worn by an employee that is bullet, strike, slash, and stab resistant.
- Require an emergency ambulance provider to inform an emergency ambulance employee, upon initial employment and subsequently on an annual basis, of the

opportunity to purchase subsidized multithreat body protective gear through a PPE program.

- Prohibit an emergency ambulance employer from preventing an emergency ambulance employee from wearing protective gear purchased under a PPE program while on duty as an emergency ambulance employee.

Related Legislation: AB 26 (Rodriguez, 2019) would have required emergency ambulance providers to provide emergency ambulance employees with body argument and safety equipment to wear during the employee's work shift. The bill did not receive a policy committee hearing.

Staff Comments: As noted previously, this bill would require private emergency ambulance providers to establish a voluntary PPE program for their emergency ambulance employees that would provide an employer-funded stipend to subsidize purchases of "multithreat body protective gear," as specified. DIR's Division of Occupational Safety and Health (DOSH) would have to promulgate rules to implement the requirements of the bill, at a one-time cost of \$180,000.

Any local government costs resulting from the mandate in this measure are not state-reimbursable because the mandate only involves the definition of a crime or the penalty for conviction of a crime.

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