

1 [Authorizing the Emergency Medical Services Agency to Conduct Criminal Background
2 Checks]

3 **Resolution authorizing the San Francisco Emergency Medical Services Agency to**
4 **conduct criminal background checks pursuant to state law for the purpose of certifying**
5 **emergency medical technicians.**
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7 WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities,
8 counties, districts and joint powers authorities to access state and local summary criminal
9 history information for employment, licensing or certification purposes; and

10 WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and
11 joint powers authorities to access federal level criminal history information by transmitting
12 fingerprint images and related information to the California Department of Justice to be
13 transmitted to the Federal Bureau of Investigation; and

14 WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be
15 a requirement or exclusion from employment, licensing, or certification based on specific
16 criminal conduct on the part of the subject of the record; and

17 WHEREAS, Assembly Bill 2917, signed by the Governor on September 25, 2008,
18 requires that on and after July 1, 2010, every Emergency Medical Technician candidate or
19 holder must have a state and federal level criminal history check, unless exempted, and the
20 certifying agency must receive subsequent arrest notification; and

21 WHEREAS, 22 C.C.R. Sections 100208 and 100216 specify the denial/revocation
22 exclusions and standards to apply in assessing criminal history in connection with Emergency
23 Medical Technicians certificates; and
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1 WHEREAS, the San Francisco Emergency Medical Services Agency is the certifying
2 agency for Emergency Medical Technicians in San Francisco, and is required to conduct
3 criminal background checks of certificate applicants and holders; and

4 WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city
5 council, board of supervisors, governing body of a city, county or district or joint powers
6 authority to specifically authorize access to summary criminal history information for
7 employment, licensing, or certification purposes; now, therefore be it

8 RESOLVED, That the San Francisco Board of Supervisors hereby authorizes the San
9 Francisco Emergency Medical Services Agency to access state and federal level summary
10 criminal history information for certification of Emergency Medical Technicians, provided that
11 the Emergency Medical Services Agency may not disseminate the information to a private
12 entity; and, be it

13 FURTHER RESOLVED, that the San Francisco Emergency Medical Services Agency
14 shall comply with state laws and regulations in assessing criminal history in the certification
15 process, including substantial relationship and rehabilitation criteria as applicable.