

ORDINANCE NO. _____(N.S.)

**AN ORDINANCE AMENDING ARTICLES XXA, XXXVII, XX, AND XV-B OF
THE SAN DIEGO ADMINISTRATIVE CODE RELATING TO JUVENILE
FACILITIES, DEPARTMENT OF PUBLIC DEFENDER, AND FEES AND
CHARGES.**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 367 of Article XXA of the San Diego County Administrative Code is amended to read as follows:

SEC. 367. [RESERVED]

Section 2. Section 695 of Article XXXVII of the San Diego County Administrative Code is amended to read as follows:

SEC. 695. DUTIES OF THE PUBLIC DEFENDER.

The Public Defender shall perform the duties listed below. In the event the office of the primary public defender is precluded from providing legal defense counsel to an indigent criminal defendant under the circumstances described in Section 692 of this Article, such legal defense counsel duties shall be provided by the office of the alternate public defender, the multiple conflicts office or the office of assigned counsel, as appropriate:

(a) Upon request of the defendant or upon order of the court, the Public Defender shall defend or cause to be defended, without expense to the defendant, any person who is not financially able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior courts of the County of San Diego at all stages of the proceedings, including the preliminary examination. The Public Defender shall, upon request, give or cause to be given counsel and advice to such person about any charge against him or her or upon which the Public Defender is conducting the defense, and shall file all appeals to the superior court and may file notice of appeals to a higher court for any person who has been convicted, where in the opinion of the Public Defender or the client, the appeal will or might reasonably be expected to result in the reversal or modification of the judgment of conviction.

(b) Upon request the Public Defender shall defend actions for the collection of wages and other demands of any person who is not financially able to employ counsel where the sum involved does not exceed one hundred dollars (\$100), and where, in the judgment of the Public Defender, the claim urged is valid and enforceable in the courts.

(c) Upon request, the Public Defender shall defend any person who is not financially able to employ counsel in any civil litigation in which, in the judgment of the Public Defender, the person is being persecuted or unjustly harassed.

(d) Upon request, or upon order of the court, the Public Defender shall represent any person who is not financially able to employ counsel in proceedings under Division 4 (commencing with Section 1400) of the Probate Code and Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code.

(e) Upon order of the court, the Public Defender shall represent any person who is entitled to be represented by counsel but is not financially able to employ counsel in proceedings under Chapter 2 (commencing with Section 200) of Part 1 of Division 2 of the Welfare and Institutions Code.

(f) Upon order of the court, the Public Defender shall represent any person who is required to have counsel pursuant to Section 686.1 of the Penal Code.

(g) Upon order of the court or upon request of the person involved, the Public Defender may represent any person who is not financially able to employ counsel in a proceeding of any nature relating to the nature or conditions of detention, of other restrictions prior to adjudication, of treatment, or punishment resulting from criminal or juvenile proceedings.

(h) Upon request, or upon order of the court, the Public Defender may represent any person who is not financially able to employ counsel in immigration removal proceedings

(i) Such other duties as may be required or permitted by law.

Section 3. Sections 246, 250-1, and 253-4 of Article XV-B of the San Diego County Administrative Code are amended to read as follows:

SEC. 246. [RESERVED]

SEC. 250. [RESERVED]

SEC. 251. [RESERVED]

SEC. 253. [RESERVED]

SEC. 254. [RESERVED]

Section 4. Sections 366, 367, 368, 369, and 370 of Article XX of the San Diego County Administrative Code are amended to read as follows:

SEC. 366 COUNTY SERVICE AREAS 17 AND 69 NON-DISTRICT RESIDENT AMBULANCE FEES.

The following fees shall be charged to non-district residents of County Service Areas 17 and 69 for ambulance services originating within County Service Area 17 and 69 territories by County Service Area 17 and 69 providers:

Advanced Life Support Transport \$1,050.00

Basic Life Support Transport \$1,050.00

Non-Transport (treat & release) \$150.00

Mileage \$20.00/mile (minimum 1 mile)

Oxygen \$65.00

Night Charge (1900 - 0700 hours) \$40.00

SEC. 367 [RESERVED] COUNTY SERVICE AREA 69 RESIDENT USER FEE.

A fee of \$900.00 and a mileage charge of \$20.00 per mile (minimum 1 mile) shall be charged to residents of County Service Area 69 who are transported from within the County Service Area 69 territory for Basic or Advanced Life Support to a hospital by a County Service Area 69 provider. The Deputy Chief Administrative Officer/Agency Director or designee may waive said fee for those residents financially unable to pay the fee.

SEC. 368. COUNTY SERVICE AREA 17 AND 69 AMBULANCE TRANSPORT FEE ORIGINATING OUTSIDE OF COUNTY SERVICE AREA TERRITORY.

A fee of \$2,500.00 and a mileage charge of \$40.00 per mile (minimum 1 mile) shall be charged for transports originating from a territory outside of County Service Areas 17 and 69 to a hospital by a County Service Area 17 or 69 provider.

SEC. 369COUNTY SERVICE AREA 17 RESIDENT USER FEE.

A fee of \$400 and a mileage charge of \$20 per mile (minimum one mile) shall be charged to residents of County Service Area 17 who are transported from within the County Service Area 17 territory to a hospital by a County Service Area 17 provider. The Deputy Chief Administrative Officer/Agency Director or designee may waive said fee for those residents financially unable to pay the fee.

SEC. 370 EMERGENCY MEDICAL SERVICES FEE.

The Agency Director shall charge and collect the following fees for the following emergency medical services:

PERSONNEL FEES

EMT/Advanced EMT Initial Certification/ Recertification - \$106.00

Paramedic Accreditation - \$106.00

Mobile Intensive Care Nurse Authorization - \$106.00

GROUND AMBULANCE

Permit Application - \$3,549.00

Annual Vehicle Inspection - \$392.00

CONTINUING EDUCATION FEES

CE Provider Approval (4 years) - \$1,135.00

HOSPITAL DESIGNATION FEES

Base Hospital Designation - \$19,972.00

Trauma Center Designation - \$52,419.00

Section 5. Effective Date. This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members of this Board voting for and against it in The Daily Transcript, a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY: Mark M. Day, Senior Deputy County Counsel