

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA, AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES ENTITLED "FIRE AND FIRE PREVENTION" BY ADDING SECTIONS 30-36 THROUGH 30-39 TO PROVIDE A UNIFORM FEE STRUCTURE FOR EMERGENCY MEDICAL SERVICES; ADDING SECTION 30-36, TO PROVIDE DEFINITIONS; ADDING SECTION 30-37, TO PROVIDE EMERGENCY MEDICAL SERVICE RATES AND ADJUSTMENTS; ADDING SECTION 30-38, TO PROVIDE FOR COLLECTION OF EMERGENCY MEDICAL FEES AND DELINQUENCY FEES; ADDING SECTION 30-39, CONSIDERATION OF RESIDENT WAIVER OF EMERGENCY MEDICAL FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 14-168 the City Commission authorized the Key West Fire Department to "take action toward providing emergency medical services"; and

WHEREAS, in Resolution No. 14-347 the City Commission selected an EMS Billing Agency; and

WHEREAS, the City's emergency Services consultant performed a rate survey across comparable communities, and recommends the adoption of the service rates contained herein; and

WHEREAS, the provision of emergency medical services is essential to protect the health and welfare of citizens and visitors of the City of Key West;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST
FLORIDA:

Section 1: That section 30-36 is hereby added to
the Code of Ordinances as follows:

Sec. 30-36. Definitions

For the purposes of this subchapter, the following
definitions shall apply:

Advanced Life Support Level 1: Advanced life support,
level 1 (ALS1) is the transportation by ground ambulance
vehicle and the provision of medically necessary supplies
and services including the provision of an ALS assessment
or at least one ALS intervention.

Advanced Life Support Level 2: Advanced life support,
level 2 (ALS2) is the transportation by ground ambulance
vehicle and the provision of medically necessary supplies
and services including: (1) at least three separate
administrations of one or more medications by intravenous
push/bolus or by continuous Infusion (excluding crystalloid
fluids), or (2) ground ambulance transport, medically
necessary supplies and services, and the provision of at
least one of the ALS2 procedures listed below:

*(Coding: Added language is underlined; deleted language
is ~~struck through~~. Added language for second reading is
double underlined; deleted language is ~~double-struck
through~~.)

- Manual defibrillation/cardioversion;
- Endotracheal intubation;
- Central venous line;
- Cardiac pacing;
- Chest decompression;
- Surgical airway; or
- Intraosseous line.

Basic life support services. The provision of treatment services rendered to patients which do not require invasive techniques, which include, but are not limited to, simple bandaging, minor splinting and simple immobilization, and may include transportation to a hospital.

Section 2: That section 30-37 is hereby added to the Code of Ordinances as follows:

Sec. 30-37. Emergency Medical Service Rates

(a) The following service charges or fees are levied for the provision of emergency medical services:

<u>Basic Life Support Transport Fee:</u>	<u>\$600.00</u>
<u>Advanced Life Support 1 Transport Fee:</u>	<u>\$750.00</u>
<u>Advanced Life Support 2 Transport Fee:</u>	<u>\$950.00</u>

Mileage Fee (per mile): \$14.50

(b) The City Manager may adjust fees annually pursuant to the Inflation Index Charge (I.I.C.) which is used by Medicare to determine the appropriate fee charges.

Section 3: That section 30-38 is hereby added to the Code of Ordinances as follows:

Sec. 30-38. Collection of Emergency Medical Fees

(a) The Fire-Rescue Department shall utilize a billing agency to submit bills to patients or to the patient's insurance carrier for the provision of Basic Life Support or Advanced Life Support transportation.

(b) The City may collect delinquent charges through any and all available legal remedies.

Section 4: That section 30-39 is hereby added to the Code of Ordinances as follows:

Sec. 30-39. Resident Waiver of Emergency Medical Fees

(1) The City, through its billing agency, will seek reimbursement from third-party payers, including but not limited to liability insurance, automobile insurance, health care insurance, Medicare and Medicaid to offset EMS operational costs.

For qualifying individuals, the City Commission may write off any or all balances remaining after receipt of third party payments.

Write-offs of out-of-pocket expenses will be completed pursuant to a formal collections policy adopted by the City Commission Resolution.

~~(2) Administrative Waiver Qualification. To be eligible for a write-off of service fees, the qualifying individual must meet the following criteria:~~

~~A. Must be a qualifying resident as defined in section (3) of this section.~~

~~B. Individual must not have been injured while involved in the commission of felony criminal activity.~~

~~(3) Resident Qualification. The write-off process requires qualification as a resident and submission of documentation by the person seeking the waiver:~~

~~A. A qualifying individual is a resident who is defined as either of the following:~~

~~1. Any property owner, or immediate member of his or her household, who is current in paying property taxes, including real and personal~~

~~property, in Key West. For purposes of this paragraph, the term "immediate family member" means (a) residing at the same address as the property owner, and (b) son, daughter, father, mother, brother, sister, mother-in-law, father-in-law, uncle, aunt, nephew, niece, brother-in-law, sister-in-law, stepfather, stepmother, stepdaughter, stepson, half-brother, half-sister, grandchild or domestic partner.~~

~~2. A resident of the City of Key West, or immediate member of his or her household, who rents property in the City of Key West. For purposes of this paragraph, the term "immediate family member" means (a) residing at the same address as the property renter, and (b) son, daughter, father, mother, brother, sister, mother-in-law, father-in-law, uncle, aunt, nephew, niece, brother-in-law, sister-in-law, stepfather, stepmother, stepdaughter, stepson, half-brother, half-sister, grandchild or domestic partner.~~

~~B. A non-qualifying individual is any individual who does not meet the criteria in section 3.A., such as visitors.~~

~~C. The billing company will continue to process billing as in current practice. To be considered for the waiver, the patient is required to show proof that the all applicable property taxes have been paid beginning November 1, 2014 and show proof of resident qualification. To qualify under section 3.A.1 an individual must provide a copy of a government issued identification showing residency at the property owner's address. Under 3.A.2 an individual must provide a copy of a long term lease and/or utility bills at the property address.~~

~~D. Residents who have met the waiver requirements will not be invoiced during the time that the billing company continues to seek third party payments and while pending the City Commission approval of the write-off.~~

Section 5: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 6: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 7: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2015.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2015.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2015.

Filed with the Clerk _____, 2015.

Mayor Craig Cates _____
Vice Mayor Mark Rossi _____
Commissioner Teri Johnston _____
Commissioner Clayton Lopez _____
Commissioner Billy Wardlow _____
Commissioner Jimmy Weekley _____
Commissioner Tony Yaniz _____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK