

ORDINANCE NUMBER 21-2516

AN ORDINANCE OF THE CITY OF HOOVER TO MODIFY CHAPTER 8, LICENSES AND BUSINESS REGULATIONS, ARTICLE IX EMERGENCY TRANSPORT SERVICES AND TO REPEAL ALL ORDINANCES AND PARTS OF THE ORDINANCES OF THE CITY OF HOOVER IN CONFLICT THEREWITH.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Hoover, in regular meeting duly assembled, a quorum being present, as follows:

Section 1. Modification of Chapter 8, Licenses and Business Regulations, Article IX Emergency Transport Services

- A. Chapter 8, Article IX of the *Municipal Code of the City of Hoover, Alabama* is hereby amended to delete Section 8-231 Purpose in its entirety and to replace with the following:

Sec. 8-231. - Purpose. In order to lessen congestion caused by emergency vehicles on the public streets, to facilitate the prompt and coordinated dispatch of emergency transport units when needed to protect life, safety, and health, and to further promote health, safety and welfare of its citizens, it is hereby declared that the City of Hoover designates the Hoover Fire Department as the fire and emergency medical service provider for all 911 calls, advanced life support calls, and/or emergency calls within the city pursuant to the procedures hereinafter stated. The rules and regulations of private ambulances and municipal emergency transport vehicles in the city as set out herein are hereby established by the city council exercising sound legislative judgment.

- B. Chapter 8, Article IX of the Municipal Code of the City of Hoover, Alabama is hereby amended to delete the following definitions of Advanced Life Support (ALS), Emergency Medical Service Provider ("EMSP"), Fire/rescue transport vehicle, and Fire/medic from Section 8-233 Definitions in their entirety and to replace with the following:

Advanced life support (ALS). The use of equipment and procedures by EMT-paramedics, EMT Advanced, and EMT-intermediates, authorized by the Alabama Department of Public Health Office of EMS and Trauma ("ADPH/OEMST") for Advanced Cardiac Life Support and Advanced Trauma Life Support.

Emergency medical service provider ("EMSP"). An individual who the ADPH/OEMST:

- (1) Authorizes as a basic (EMT-B) to provide pre-hospital care such as splinting fractures, applying bandages, performing CPR, administering oxygen, or any other procedure within the scope of practice of an EMT-B;
- (2) Authorizes as an EMT intermediate (EMT-I) to provide pre-hospital care which can be invasive such as starting I.V.s, monitoring cardiac rhythms, performing cardiac arrhythmia defibrillation, intubation, or any other procedures within the scope of practice of an EMT-I;

- (3) Authorizes as an EMT advanced (EMT-A) to provide pre-hospital care which can be invasive such as starting I.V.s, monitoring cardiac rhythms, performing cardiac arrhythmia defibrillation, intubation, or any other procedures within the scope of practice of an EMT-A; or
- (4) Authorizes as a paramedic (EMT-P) to provide pre-hospital care which can be invasive such as: starting I.V.s, monitoring cardiac rhythms, performing cardiac arrhythmia defibrillation, intubation, administering medication, or any other procedure within the scope of practice of a paramedic.

Fire/rescue transport vehicle. Any motor vehicle operated by the Hoover Fire Department that meets the criteria for advanced life support/emergency transport vehicle.

Fire/medic. An EMT-P/firefighter employed by the Hoover Fire Department.

All other definitions in Section 8-233 shall remain unchanged.

C. Chapter 8, Article IX of the Municipal Code of the City of Hoover, Alabama is hereby amended to delete Section 8-234(d) Hospitals in its entirety and to replace with the following:

- (d) *Hospitals.* Hoover Fire Department will only transport patients to the following hospitals:

Brookwood Medical Center;
Brookwood 119 Freestanding Emergency Department;
Baptist Medical Center - Princeton;
Grandview Medical Center;
UAB Medical West Hoover Freestanding Emergency Department
UAB West Medical Center - Bessemer;
UAB Gardendale Freestanding Emergency Department
Children's Hospital - Birmingham;
UAB Birmingham Medical Center;
Eye Foundation Hospital;
UAB Highlands Medical Center;
St. Vincent's East;
St. Vincent's Hospital Birmingham;
Shelby Baptist Medical Center; and
Veterans' Hospital.

D. Chapter 8, Article IX of the Municipal Code of the City of Hoover, Alabama is hereby amended to delete Section 8-235 Primary responder to 911 and ALS calls; ALS patient transport; medical emergency patient transport; transport fee in its entirety and to replace with the following:

Sec. 8-235. - Primary responder to 911 and ALS calls; ALS patient transport; medical emergency patient transport; transport fee.

- (a) *Primary responder to 911 and ALS calls.* Hoover Fire Department shall be the primary responder to all 911 calls of a medical or rescue nature and to all ALS calls.
- (b) *ALS patient transport.* Hoover Fire Department shall be the primary provider of medical transport for all ALS patients.
- (c) *Medical emergency patient transport.* Hoover Fire Department personnel on the scene of a medical emergency will recommend the transport of a patient based upon medical necessity and the availability of the level of care required by the patient at a hospital. A patient has the right to refuse treatment and/or all medical attention by Hoover Fire Department. A patient also has the right to decline transport by the Hoover Fire Department and may request transport by a private ambulance service. Those patients requesting transport by private ambulance service may request transport by the primary private service provider or by another private ambulance service licensed by the ADPH/OEMST and by the City of Hoover.
- (d) *Transport fee.* The following transport fees shall be collected by the City of Hoover Fire Department for transportation provided to patients by the Hoover Fire Department transport units.

BLS Fee - \$540.18 base rate plus an amount equal to \$11.70 per mile traveled in transport of patient to hospital.

ALS Fee - \$641.47 base rate plus an amount equal to \$11.70 per mile traveled in transport of patient to hospital.

ALS Level II Fee - \$928.43 base rate plus an amount equal to \$11.70 per mile traveled in transport of patient to hospital.

Note: At the beginning of each calendar year, the base rates and the mileage rates will be amended to reflect any increase in the United States Department of Labor, Bureau of Labor Statistics, "Consumer Price Index for all Urban Consumers - South Urban Region." The final index for the prior calendar year ending December will be the base for any amendments to the amount of the transport fees and the mileage rates.

- (e) *Provision of treatment without regard to patient's ability to pay.* Hoover Fire Department shall not refuse transport of any patient requiring ALS/emergency treatment to a hospital listed in subsection 8-233(d) and shall provide emergency medical treatment and transportation without regard to the patient's ability to pay as per Alabama Department of Public Health Emergency Medical Services Rules.

E. Chapter 8, Article IX of the Municipal Code of the City of Hoover, Alabama is hereby amended to delete Section 8-236 Non-emergency patient transport in its entirety and to replace with the following:

Sec. 8-236. - Non-emergency patient transport.

In order to provide maximum emergency medical transport coverage for the citizens of the city, the fire department dispatch center will dispatch the primary private service provider for all patients needing non-emergency transport. The fire department dispatch center shall inform individuals who request non-emergency transport when calling 911 that a private ambulance service will be dispatched to transport them. The primary private service provider shall be responsible for the billing and collection of fees from transported patients. The City of Hoover will not compensate the primary private service provider for ambulance transportation services rendered to patients.

Section 2. ORDINANCES REPEALED. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Hoover hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. LEGAL RIGHTS NOT IMPAIRED. That nothing in this ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. ORDINANCE CUMULATIVE; COMPATIBILITY WITH OTHER REGULATIONS. This Ordinance shall not be construed to modify or to repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this Ordinance are in addition to and cumulative to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

Section 6. PUBLICATION OF ORDINANCE. That the City Clerk of the City of Hoover is hereby ordered and directed to cause this ordinance to be published and that a copy of this Ordinance be entered upon the minutes of the meeting of the City Council.

Section 7. EFFECTIVE DATE OF ORDINANCE. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall be in full force and effect upon adoption and shall continue in full force and effect from month to month and year to year from its effective date until repealed.

THEREFORE, BE IT ORDAINED, that the City Council of the City of Hoover does hereby ordain, resolve, and enact the foregoing Ordinance for the City of Hoover.

Done this the 19th day of April, 2021.

APPROVED:

John B. Lyda, President of the City Council

Frank V. Brocato, Mayor

ATTESTED:

Wendy Dickerson, City Clerk