

TOWN OF FLOWER MOUND, TEXAS

ORDINANCE NO. 49-16

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, AMENDING CHAPTER 30, "EMERGENCY MEDICAL SERVICE" AND APPENDIX A, "FEE SCHEDULE," OF THE CODE OF ORDINANCES TO UPDATE THE FEES ASSOCIATED WITH EMERGENCY MEDICAL SERVICE PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Flower Mound is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Town has previously adopted ordinance provisions and a Fee Schedule setting forth the fees for the provision of emergency medical services and

WHEREAS, the Town Council has determined that it is necessary to update these fees to reflect the current costs for the provision of Emergency Medical Services and associated supplies including, but not limited to, transportation, intravenous fluids, medications, bandages, and oxygen masks due to the continuing increase in the cost of such services and items.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

SECTION 1

Section 30-91, "Definitions," of Chapter 30, "Emergency Medical Service," of the Code of Ordinances, Town of Flower Mound, Texas shall be amended by adding a definition for the term "Charged-Off" to read as follows:

Sec. 30-91. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Charged-Off mean to financially relieve the balance of an account based upon a set of conditions provided by the town.

SECTION 2

Section 30-92, "To be provided by fire department," of Chapter 30, "Emergency Medical Service," of the Code of Ordinances, Town of Flower Mound, Texas is hereby amended by adding subsection (e) to read as follows:

- **Sec.30-92. - To be provided by fire department.**

- (e) Expenses for emergency medical services received by any resident of the town, employee of the town, or member of a political subdivision that has contracted with the town to receive emergency medical service, will be billed to the individual's health insurance company. Any balance remaining will be charged off by the town.

SECTION 3

Section 30-92, "Emergency ambulance service fees," of Appendix A, "Fee Schedule," of the Code of Ordinances, Town of Flower Mound, Texas shall be amended to read as follows:

- (a) A fee of \$750.00 for residents of the town and \$850.00 for nonresidents shall be charged per trip, per person for basic life support (BLS) treatment and transportation by emergency ambulance to a full service hospital facility in response to a request received by the fire department for emergency medical services.
- (b) A fee of \$850.00 for residents of the town and \$950.00 for nonresidents shall be charged per trip, per person for advanced life support I (ALSI) treatment and transportation by emergency ambulance to a full service hospital facility in response to a request received by the fire department for emergency medical services.
- (c) A fee of \$950.00 for residents of the town and \$1,050.00 for nonresidents shall be charged per trip, per person for advanced life support II (ALSII) treatment and transportation by emergency ambulance to a full service hospital facility in response to a request received by the fire department for emergency medical services.
- (d) An additional fee of \$15.00 shall be charged per loaded mile.
- (e) In addition to all other fees charged hereunder, a fee of \$200.00 shall be charged per trip, per person for single-usage disposable items for those persons provided basic life support (BLS) treatment.
- (f) In addition to all other fees charged hereunder, a fee of \$400.00 shall be charged per trip, per person for single-usage disposable items for those persons provided advanced life support (ALS) treatment.
- (g) In addition to all other fees charged hereunder, a fee of \$150.00 shall be charged per trip, per person for single-usage disposable items utilized in conjunction with the provision and use of oxygen.
- (h) The foregoing fees have been established based, in part at least, on the centers for Medicare and Medicaid services (CMS) rates, which rates are the reimbursement rates for ambulance fees set by Medicare. When the CMS rate for advanced life support, level 2 ambulance service ("ALS 2") is increased the town's fee for providing advanced life support II ("ALSII") treatment and

transportation ambulance service shall be increased from the then current fee amount by a similar amount and rounded up to the next higher ten-dollar increment. All other fee amounts for ambulance services shall be similarly increased from the then current fee in an amount proportionate to the ALSII increase and rounded up to the next higher ten-dollar increment. Any such increase shall become effective on the first day of the next fiscal year (October 1) of the Town of Flower Mound, and the foregoing fee schedule revised accordingly.

SECTION 4

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the Town of Flower Mound, Texas, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in the Ordinance any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 6

The Town Secretary of the Town of Flower Mound is hereby directed to publish the caption in the official newspaper of the Town of Flower Mound as required by Section 3.07 of the Charter of the Town of Flower Mound.

SECTION 7

This Ordinance shall be in full force and effect from and after the date of its passage and publication.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FLOWER MOUND, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 6th DAY OF SEPTEMBER, 2016.

APPROVED:

Thomas E. Hayden, MAYOR

ATTEST:

Theresa Scott, TOWN SECRETARY

APPROVED AS TO FORM AND LEGALITY:

_____, **TOWN ATTORNEY**