

## **ORDINANCE NO. 1985**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE CODE OF ORDINANCES BY ADDING A NEW ARTICLE XII OF CHAPTER 5 REGULATING EMERGENCY MEDICAL SERVICES.**

WHEREAS, commencing on January 1, 2015, the City of Sugar Land will be providing emergency medical services; and

WHEREAS, the City recognizes the need to bill patients for the provision of Emergency Medical Services and transportation to aid in the provision of those services; and

WHEREAS, the City Council desires to adopt regulations pertaining to the provision of and payment for emergency medical services; and

WHEREAS, no person requiring emergency medical services or transportation will be denied services due to a lack of insurance or ability to pay levied charges; NOW, THEREFORE,

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1.** That the facts and recitations set forth in the preamble of this ordinance are declared true and correct.

**Section 2.** That a new Article XII of Chapter 5 of the Code of Ordinance is added to read as follows:

### **CHAPTER 5 PUBLIC PROPERTY AND SERVICES**

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#### **Article XII. Emergency Medical Services.**

##### **5-395. Designation of Primary Provider.**

The Sugar Land Fire Department is designated as the primary provider of pre-hospital emergency medical services within the corporate limits of the City and outside of the City limits as determined by various mutual aid agreements. All persons in need of such services are entitled to receive them without prior determination of the ability to pay.

##### **5-396. Minimum Standard of Care.**

- (a) The City establishes Advanced Life Support (ALS) with a minimum crew of one EMT-Paramedic or Licensed Paramedic and one EMT-Basic or EMT-Intermediate as the minimum standard of care for all 9-1-1 ambulance calls and emergency ambulance transports, and shall bill accordingly at an ALS or BLS level.
- (b) This minimum standard applies to all services provided by the City and to mutual aid response of other ambulance providers answering emergency 9-1-1 calls within the City limits unless a paramedic unit is unavailable.

### **5-397. Obligation to Provide Insurance Information.**

A patient who receives emergency medical or transportation services from the City is obligated, at the time of service or as soon as practicable thereafter, to provide to the City all pertinent insurance and payment information to facilitate the City billing of third party payment sources for services rendered. The City may, at its option, and will, where required by law, bill insurers or carriers on a patient's behalf and accept payment on an assignment basis.

### **5-398. Billing and Payment.**

- (a) Unless the City is reimbursed for services by another agency due to disaster declaration, any applicable charges for emergency medical or transportation services rendered will be billed directly to the patient or to the patient's third party payer according to the Fee Schedule established by city council.
- (b) Patients are liable for any co-payment, deductibles and patient responsibility amounts not satisfied by public or private insurance. The City shall make reasonable collection efforts for all such balances according to the most current rules or regulations set forth by applicable Health Care Financing Administration federal policies and regulations. The City may bill any applicable coinsurance carriers for such amounts.
- (c) A patient for whom the City does not bill on assignment and who receives payment directly from a third party payer for emergency medical or transportation services rendered by the City is obligated to remit such monies to the City in the event the City has not been paid for services rendered. Patients who do not remit such monies may be held liable for costs of collection in addition to the charges for emergency medical or transportation services rendered.
- (d) The City may make arrangements with patients or their financially responsible party for installment payments of bills if the City determines that:
  - 1. The financial condition of the patient requires such an arrangement; and
  - 2. The patient or financially responsible party has demonstrated a willingness to make good faith efforts towards payment of the bill.
- (e) The City will not balance bill when prohibited by law.

### **5-399. Hardship Consideration.**

- (a) The City's billing agency is authorized to consider all cases of financial hardship based on the City's financial assistance hardship policy.
- (b) Adjustments/waivers will be granted based on U.S. Department of Health & Human Services Poverty Guidelines, based on documented income that does not exceed 300% of the poverty guideline for the number of persons in the household.
  - Annual Income <100% of Poverty Guideline: Reduction of Fee up to 75%
  - Annual Income 100-200% of Poverty Guideline: Reduction of Fee up to 50%
  - Annual Income 200-300% of Poverty Guideline: Payment Plan or Reduction of Fee up to 25%

- (c) Requests for assistance must be documented with a completed City EMS Financial Assistance Request Form, along with any supporting documents such as pay stub or unemployment check stub dated within the last 90 days or tax forms (most recent year) for all persons employed in the home. A signature is required on all applications prior to evaluation.
- (d) Financial Assistance will not be granted if complete and accurate information and supporting documentation is not provided. Any assistance granted will be rescinded if the information given on the application is inaccurate or untrue. The application and supporting documentation will be retained by the City for three years after eligibility determination.
- (e) Patients or financially responsible parties who qualify for State, Federal or other assistance programs are excluded from account adjustment to the extent that needed services are covered under those programs.

**Section 3.** That the provisions of this ordinance are severable and the invalidity of any part of this ordinance will not affect the validity of the remainder of the ordinance.

APPROVED on first consideration on November 04, 2014.


ADOPTED on second consideration on November 18, 2014.

/s/  
James A. Thompson, Mayor

ATTEST:

APPROVED AS TO FORM:





*Meredith Riedel*

  
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Glenda Gundermann, City Secretary



# CITY COUNCIL

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>11-18-14</b>	<b>AGENDA REQUEST NO:</b>	<b>III-B</b>
<b>INITIATED BY:</b>	<b>JENNIFER BROWN</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>FINANCE</b>
<b>PRESENTED BY:</b>	<b>JENNIFER BROWN</b>	<b>DIRECTOR:</b>	<b>JENNIFER BROWN</b>  <b>DIRECTOR OF FINANCE</b>
		<b>ADDITIONAL DIRECTOR (S):</b>	<b>JJ ADAME, FIRE CHIEF</b> 
<b>SUBJECT / PROCEEDING:</b>	<b>EMS BILLING &amp; COLLECTION APPROVE ORDINANCE NO. 1985 AMENDING CHAPTER 5 BY ADDING ARTICLE 12 TO THE CODE OF ORDINANCES, REGULATING EMERGENCY MEDICAL SERVICES (SECOND READING)</b>		
<b>EXHIBITS:</b>	<b>ORDINANCE NO. 1985</b>		
<b>CLEARANCES</b>		<b>APPROVAL</b>	
<b>LEGAL:</b>	<b>MEREDITH RIEDE,</b>  <b>ACTING CITY ATTORNEY</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>MIKE GOODRUM</b>
<b>PURCHASING:</b>	<b>N/A</b>	<b>ASSISTANT CITY MANAGER:</b>	<b>STEVE GRIFFITH</b> 
<b>BUDGET:</b>	<b>N/A</b>	<b>CITY MANAGER:</b>	<b>ALLEN BOGARD</b> <b>FOR AB</b>
<b>BUDGET</b>			
<b>EXPENDITURE REQUIRED: \$</b>		<b>N/A</b>	
<b>CURRENT BUDGET: \$</b>		<b>N/A</b>	
<b>ADDITIONAL FUNDING: \$</b>		<b>N/A</b>	
<b>RECOMMENDED ACTION</b>			
Consideration and approval of Ordinance No. 1985 amending Chapter 5 by adding Article 12 to the Code of Ordinances, regulating emergency medical services.			

## EXECUTIVE SUMMARY

On January 1, 2015 the Sugar Land Fire Department will begin providing Emergency Medical Services (EMS) within the City limits and through interlocal agreements. A key component to the addition of EMS as a service level enhancement is the ability for the City to bill patients for services and to collect revenue to help offset the cost of increasing the level of service. The City has contracted with a third party billing agency, Digitech Computer Services, to perform this service.

In preparation for the January 1 start date, Fire and Finance have developed a recommendation for a City Council Policy that provides direction on how the City will address billing for services, adjustments to accounts, financial assistance and write off of uncollectible accounts.

Key components of the Council Policy to be adopted by Resolution 14-43 are:

- Recognizes the need for the City to bill for EMS and establishes authority for a third party billing agency to bill & collect on the City's behalf.
- The City will balance bill patients for co-payments, deductibles or patient responsibility amounts not covered by insurance, except in cases where the City is prohibited from balance billing.
- Establishes authorization for the billing company to adjust accounts and procedures for communication of these adjustments to the City
- Establishes a write-off policy for uncollectible accounts.
- Provides the City the right of first refusal to provide EMS for events permitted in the City

The fees relating to provision of EMS will be set by Ordinance No. 1984 amending Chapter 2 of the code of Ordinances.

Some of the policy provisions also need to be codified by Ordinance by adding Article XII to Chapter 5 of the Code of Ordinances to be enforceable, and are incorporated into the attached Ordinance No. 1985.

- Designate Sugar Land Fire Department as the primary provider of EMS
- Establishes ALS with one Paramedic and one EMT (Basic or Intermediate) as the minimum standard of care for all 911 ambulance calls.
- No patient will be denied emergency medical services or transport due to a lack of insurance or inability to pay charges.
- Obligates the patient to provide insurance information at the time of service or as soon as practical thereafter
- Establishes liability of patients to the City for any co-payment, deductible or patient responsibility amounts not satisfied by insurance
- Authorizes the billing agency to establish payment plans with patients who request and make good faith efforts toward payment of the bill
- Establishes guidelines for patients to request adjustment or waiver to a transport invoice based on documented household income and a percentage threshold of US Department of Health & Human Services Poverty Guidelines.

The proposed ordinance language has been reviewed with the Finance/Audit committee, and is recommended for approval by City Council to facilitate the City's efforts on implementation of emergency medical services.

## EXHIBITS