

ORDINANCE 2019-025

ORDINANCE AMENDING DELAWARE COUNTY'S EMERGENCY MEDICAL SERVICES FEE STRUCTURE, BILLING RATES, AND REQUIREMENTS

WHEREAS, the Delaware County Board of Commissioners (the "Commissioners"), as the governing body of Delaware County, Indiana, has the authority to establish, operate, and maintain emergency medical services pursuant to Ind. Code § 16-31-5-1(1), subject to the restrictions set forth in Ind. Code § 16-31-5-2;

WHEREAS, the Commissioners are further authorized to apply for, receive, and accept gifts, bequests, grants-in-aid, state, federal, and local aid, and other forms of financial assistance for the support of emergency medical services pursuant to Ind. Code § 16-31-5-1(4);

WHEREAS, the Commissioners are further authorized to establish and provide for the collection of reasonable fees for emergency ambulance services provided by Delaware County pursuant to Ind. Code § 16-31-5-1(5);

WHEREAS, the Commissioners previously adopted Ordinance No. 2014-024 establishing the charges for emergency medical services now in effect, which are currently less than the actual cost of providing said services;

WHEREAS, the Commissioners have determined that a change in the prices charged for emergency medical services is now necessary and will complement the changes made by the Commissioners regarding billing and collection;

WHEREAS, the Commissioners now desire to revise the charges established pursuant to previously adopted Ordinance No. 2014-024 in order to carry out this necessary change in prices charged for emergency medical services provided by Delaware County.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Delaware County, Indiana, that:

Section 1. Delaware County Ordinance No. 2014-024 is hereby repealed in its entirety and all fees and charges for emergency medical services provided by Delaware County shall be assessed pursuant to the provisions of this Ordinance and the fee structure stated in Exhibit A, attached hereto.

Section 2. All ordinances or parts of ordinances previously adopted, which are in conflict with the provisions of this Ordinance or any part thereof, such ordinances or parts of ordinances previously adopted are hereby repealed and replaced by the provision or provisions of this Ordinance, as applicable.

Section 3. Should any Section, Paragraph, Clause, or Phrase of this Ordinance be declared unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect.

Section 4. This Ordinance shall take effect upon adoption and publication as required by law.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS, DELAWARE COUNTY, INDIANA ON THIS, THE 21 DAY OF October, 2019.

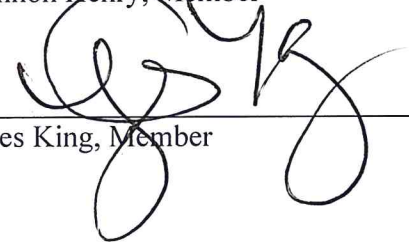
*DELAWARE COUNTY, INDIANA
BOARD OF COMMISSIONERS*



Sherry Riggan, President

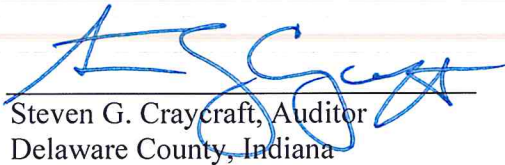


Shannon Henry, Member



James King, Member

ATTEST:



Steven G. Craycraft, Auditor
Delaware County, Indiana

EXHIBIT A

DELAWARE COUNTY EMERGENCY MEDICAL SERVICE CODE

SECTION 1: County Emergency Medical Service Fee Structure and Billing

Currently, Delaware County has not had an increase in fees in several years and there is a need to increase the fees charged for EMS services to complement the changes made by the Delaware County Commissioners, and the associated cost of providing EMS for billing and collection; Ambulance billing fees for EMS shall be as follows:

- A. The EMS shall charge five hundred seventy-five dollars (\$575.00) for basic life support services (hereinafter referred to as “BLS rate”).
- B. The EMS shall charge nine hundred fifty dollars (\$950.00) for advanced life support services, 1 (hereinafter referred to as “ALS 1 rate”).
- C. The EMS shall charge twelve hundred dollars (\$1,200.00) for advanced life support services, 2 (hereinafter referred to as “ALS 2 rate”).
- D. The EMS shall charge mileage for their service at the rate of fifteen dollars (\$15.00) per mile (hereinafter referred to as “mileage rate”).
- E. The EMS shall charge an hourly rate of one hundred dollars (\$100.00) per hour for waiting or “on call” time at events or activities. The EMS shall also charge a fee of forty-five dollars (\$45.00) per hour for each additional medical personnel needed.
- F. The EMS shall charge nineteen hundred dollars (\$1,900.00) for Specialty Care transportation. Specialty Care is defined as inter-hospital transfers of care, hazardous material exposure transport cases, or high-risk infectious disease transport services.
- G. The EMS shall charge an additional twenty-five percent (25%) premium on all services rendered for those services requested from patients that reside out of Delaware County. The regular mileage rate shall apply to these out of county service calls. A “premium charge” shall be assessed for any transport of a patient to any health care facility outside of Delaware County or if the patient requests services of the Delaware County EMS outside the boundaries of the County.
- H. If two patients are transported simultaneously; Delaware County EMS shall charge seventy-five percent (75%) of the base rate applicable to the level of care furnished to each patient. If three or more patients are transported simultaneously, Delaware County EMS shall charge sixty percent (60%) of the base rate applicable to the level of care furnished to each patient. Each patient shall pay their share of the mileage charge.
- I. The EMS shall charge each ALS treated patient with intravenous therapy, medication administration, or injection that refuses transport to a health care facility the sum of one hundred dollars (\$100.00) (hereinafter referred to as “Treatment Non-Transport”).
- J. The Delaware County Board of Commissioners may waive or write off EMS fees. The Board of Commissioners’ shall only waive or write off any EMS fees during a public meeting.
- K. Delaware County shall offer a reduced cost for those services that are deemed as “self-pay” by the EMS billing company. The EMS billing company may offer up to a twenty-five percent (25%)

discounted rate for individuals who are self-pay and may charge a two percent (2%) per month collection fee on the remainder of the balance for monthly payments payable to Delaware County. Any further discounted rates will be approved by the Director of Delaware County EMS and or the Delaware County Board of Commissioners.

L. Delaware County EMS shall provide requested advanced life support (ALS) service to outlying and local emergency medical services. Understanding that the transporting ambulance service has the ability to bill the patient or insurance fees associated with ALS treatment may be charged by the transporting service, to the patient or insurance provider. Delaware County EMS provides ALS intercept services without question and will invoice the transporting service that it is providing ALS services for.

- i. Fees associated with ALS patient care assistance, otherwise known as ALS intercept, shall be charged to the EMS service requesting the assistance.
- ii. Through interlocal agreements a predetermined for services rendered may be negotiated prior to the need for the assistance.
- iii. Fees associated with ALS intercept shall be charged directly to the transporting services and not the patient.

M. ALS intercept fees shall be charged to the transporting service at the following rates:

- i. Any service requesting assistance with a signed interlocal agreement and or contract shall pay the rate of that agreement. This determination shall be established by the Board of Commissioners.
- ii. Any service requesting ALS intercept assistance by Delaware County EMS without a signed interlocal agreement and or contract shall pay two hundred fifty dollars (\$250.00) per transported patient if the operating service has an operating headquarters inside Delaware County. This determination shall be established by the Board of Commissioners.
- iii. Any service requesting ALS intercept assistance by Delaware County EMS without a signed interlocal agreement and or contract shall pay five hundred dollars (\$500.00) per transported patient if the operating service has an operating headquarters outside Delaware County. This determination shall be established by the Board of Commissioners.

SECTION 2: "Ambulance Replacement Fund" (Fund 4915/283)

- A. The Auditor of Delaware County shall establish a Fund (4915/283) within the records of the County Auditor's office, there is now established an account designated as the "**Ambulance Replacement Fund**"
- B. Any payments made from the EMS Ambulance Replacement Fund shall be appropriated by the County fiscal body.

- C. The Auditor of Delaware County is hereby directed to deposit a contribution from Delaware County EMS billing services five thousand dollars (\$5000.00) each month into the “**Ambulance Replacement Fund**”.
- D. In order to maintain the “**Ambulance Replacement Fund**” The Auditor of Delaware County is hereby directed to deposit within said fund all “ALS intercept fees” collected from services rendered by Delaware County EMS. All contributions to the “**Ambulance Replacement Fund**” shall be deposited into said fund by the Auditor without further approval from this body.

SECTION 3: “EMS Medical Supply Fund” (Fund 4920/322)

- A. The Auditor of Delaware County shall establish a Fund (4920/322) to establish and designated as “**EMS Medical Supply Fund**” a fund where EMS medical supplies may be purchased from, thereby allowing Delaware County Council to eliminate the Medical Supply Budget, in the EMS Budget. Establishing a NON-REVERTING fund from which to purchase Medical Supplies and/or Equipment by way of the normal claims to process established by the Delaware County Auditor’s office.
- B. The Auditor of Delaware County is hereby directed to deposit a contribution from Delaware County EMS billing services sixteen thousand dollars (\$16,000.00) each month into the “**EMS Medical Supply Fund**”.
- C. In order to maintain the “**EMS Medical Supply Fund**” The Auditor of Delaware County is hereby directed to deposit within said fund all contributions into said fund by the Auditor without further approval from this body.

SECTION 4: “DCEMS 457 Supplement Pension Fund”

- A. The Auditor of Delaware County shall establish a Fund (4907/258) to establish a retirement enhancement for EMS personnel where user fees from EMS customer ambulance fees shall be established and designated as “**DCEMS 457 Supplement Pension Fund**”.
- B. The Auditor of Delaware County is hereby directed to deposit a contribution from Delaware County EMS billing services ten thousand five hundred dollars (\$10,500.00) each month into the “**DCEMS 457 Supplement Pension Fund**”.
- C. In order to maintain the “**DCEMS 457 Supplement Pension Fund**” The Auditor of Delaware County is hereby directed to deposit within said fund all contributions into said fund by the Auditor without further approval from this body.

SECTION 5: “EMS Capital Improvement Fund”

- A. The Auditor of Delaware County shall establish a Fund (4910/263) to establish and designated as “**EMS Capital Improvement Fund**” where user fees from EMS customer ambulance fees shall be established.

- B. The Auditor of Delaware County is hereby directed to deposit a contribution from Delaware County EMS billing services twenty thousand five hundred dollars (\$20,500.00) each month into the **“EMS Capital Improvement Fund”**.
- C. In order to maintain the **“EMS Capital Improvement Fund”** the Auditor of Delaware County is hereby directed to deposit within said fund all contributions into said fund by the Auditor without further approval from this body.

SECTION 6: “Hazardous Materials Fund”

- A. Within the records of the County Auditor’s office, there is now established an account designated as the Delaware County **“Hazmat Supply & Equipment Fund”** (fund number to be determined) to establish a fund where hazmat supplies, training, and equipment may be purchased from, thereby allowing Delaware County Council to eliminate the HazMat Supply Budget, in the EMS budget. Establishing a NON-REVERTING fund from which to purchase hazmat supplies, training, and equipment by way of the normal claims to process established by the Delaware County Auditor’s office.
- B. The Auditor of Delaware County is hereby directed to deposit a contribution from Delaware County EMS billing services four thousand five hundred dollars (\$4,500.00) each month into the **“Hazmat Supply & Equipment Fund”**.

SECTION 7: “EMS Overtime Replacement Fund”

- A. The Auditor of Delaware County shall establish a Fund (number to be determined) to establish and designated as **“EMS Overtime Replacement Fund”** where user fees from EMS. This shall be a fund for the collection of fees from events where EMS is paid to cover specialty events out of their budgeted overtime.
- B. This fund is to be collected and deposited by the Auditor in a non-reverting fund to reimburse the overtime account when shortfalls are suffered due to disasters or emergencies required extra expenditures from the overtime account.
- C. The Auditor is here directed to place within said fund fifty percent (50%) of the fees collected with the remaining fifty percent (50%) placed in to the County General Fund. Any payments made for the **EMS Overtime Replacement Fund** shall be appropriated by the County fiscal body.