

**Business of the City Council
 Ruston, WA**

| | |
|---|--|
| <p>Subject: Ordinance #1577 – Creation Of Title 3 – Fire Department And Chapter 3.01 Basic Life Support Transport Fees</p> | <p>Dept. Origin: Ruston Fire Dept.</p> <p>Prepared by: Jennifer Robertson</p> <p>For Agenda of: January 2, 2024</p> <p>Exhibits: Ordinance No. 1577</p> |
| <p>Proposed Council Action:</p> <p>This is on for Second Reading and Action. Adopt Ordinance No. 1577.</p> | <p align="right">Initial & Date</p> <p>Concurred by Mayor: _____</p> <p>Approved by City Planner: _____</p> <p>Approved as to form by City Atty: <u>JSR/12-26-23</u></p> <p>Approved by Finance Director: _____</p> <p>Approved by Department Head: _____</p> |

INFORMATION / BACKGROUND

The Fire Department has been increasing its medical response as a portion of its call volume significantly over the past couple of decades. Medical response now makes up a significant portion of Fire’s calls for service. When a person is ill or injured, they may be transported to a hospital. Advance Life Support (ALS) transport is performed by a contractor for Ruston. ALS is used in the types of situations where the person’s life is at serious risk such as a heart attack, stroke, or grievous bodily injury. Basic Life Support (BLS) transport is done by Ruston Fire. BLS is appropriate where the person is ill or injured, but whose life is not in danger such as a broken ankle. Many area agencies have commenced charging BLS transport fees in order to recover the costs of providing this service. Insurance, Medicare, and Medicaid will reimburse the City for these transport fees and may be billed directly if the patient provides billing information. The transport fees proposed are consistent with surrounding agencies. Chief Allen surveyed surrounding agencies and the fees range from \$850 to \$900 plus a per mile fee of between \$21 and \$22. The proposed Ruston fee is in line with these other agencies.

The attached ordinance creates a new chapter 3.01 RMC to provide the City the authority to impose these transport fees and to use a contractor for collections. Since there is no Fire Department title in the Code, this ordinance also creates Title 3 RMC.

In addition, based on the Council discussion during first reading, a new subsection “H” has been added to RMC 3.01.010 to read:

H. As part of implementing this program, the Mayor may waive BLS transport fee charges that would otherwise be paid by the patient out of pocket after the application of any insurance, provided the patient provides the city with the medical insurance information and documentation needed to bill his or her insurance provider.

This language allows the City to forgive the debt over and above what insurance will cover.

If passed, the City will contract with a known provider to perform the billing for BLS transport.

FISCAL CONSIDERATION

If passed, this Ordinance will allow the City to obtain reimbursement for the costs of transporting BLS patients in the amounts sent forth in the ordinance, which will be limited to the amount of insurance payment for residents who provide insurance billing information to the City.

RECOMMENDATION / MOTION

This is on for Second Reading and Action. Adopt Ordinance No. 1577.

MOTION: I move adoption of Ordinance No. 1577, regarding fire service, creating a new Title 3 “Fire Department” in the Ruston Municipal Code and a new Chapter 3.01 “Basic Life Support Transport Fees” in the Ruston Municipal Code to provide for billing and recovery of costs for transporting patients using basic life support transport services; providing for severability and corrections; and establishing an effective date.

ORDINANCE NO. 1577

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, REGARDING FIRE SERVICE, CREATING A NEW TITLE 3 “FIRE DEPARTMENT” IN THE RUSTON MUNICIPAL CODE AND A NEW CHAPTER 3.01 “BASIC LIFE SUPPORT TRANSPORT FEES” IN THE RUSTON MUNICIPAL CODE TO PROVIDE FOR BILLING AND RECOVERY OF COSTS FOR TRANSPORTING PATIENTS USING BASIC LIFE SUPPORT TRANSPORT SERVICES; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The Ruston Fire Department has been increasing its medical response significantly over the past couple of decades. Medical response now makes up a significant portion of their calls for service; and

WHEREAS, when a person is ill or injured, they may be transported to a hospital. While Advance Life Support (ALS) transports are performed by a contractor for Ruston, while Basic Life Support (BLS) transports may be performed by Ruston Fire; and

WHEREAS, many area agencies have commenced charging for BLS transport fees in order to recover costs of providing this service. Insurance, Medicare and Medicaid will reimburse the City for these transport fees; and

WHEREAS, a new chapter 3.01 RMC is needed to provide the City the authority to impose these transport fees and to use a contractor for collections; and

WHEREAS, since there is no Fire Department title in the Code, this ordinance also creates Title 3 RMC; and

WHEREAS, this Ordinance will benefit the health, safety, and welfare of the people in Ruston; and

WHEREAS, on December 19, 2023, the City Council held the first reading of this Ordinance; and

WHEREAS, on January 2, 2024, the City Council adopted this Ordinance at Second Reading during its regular meeting; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. A new Title 3 entitled “Fire Department” is hereby added to the Ruston Municipal Code.

Section 2. A new Chapter 3.01 entitled “Basic Life Support Transport Fees” is hereby added to the Ruston Municipal Code to read as follows:

**Chapter 3.01
BASIC LIFE SUPPORT TRANSPORT FEES**

Sections:

- 3.01.010 BLS transport user fee imposed.**
- 3.01.020 Medicare and Medicaid.**

3.01.010 BLS transport user fee imposed.

A. All persons receiving basic life support emergency medical services transport (“BLS transport”) by the city shall be charged and billed a BLS transport user fee (“fee”). The fee is \$900.00 per transport plus \$22.00 per mile. The mayor or designee is authorized to establish procedures to implement, bill, and collect the fee.

B. A resident of the city, who supplies the city with the medical insurance information and documentation needed to bill his or her insurance provider for the fee, and who assigns his or her insurance benefits for the same to the city, shall not be billed for that portion of the fee that is in excess of amounts paid by his or her insurer(s).

C. A nonresident, who supplies the city with the medical insurance information and documentation needed to bill his or her insurance provider for the fee, and who assigns his or her insurance benefits for the same to the city, shall be billed for that portion of the fee that is in excess of amounts paid by his or her insurer(s).

D. A person, regardless of residence, who does not supply the city with the medical insurance information and documentation needed to bill his or her

insurance provider or who fails to assign such benefits to the city because he or she is unwilling, or because he or she does not have any type of insurance coverage for such charges, shall be billed for the entire fee.

E. The use of the term “insurance” or any variation thereof in this section shall include Medicare and Medicaid.

F. The use of the term “BLS transport” in this section shall mean: transportation by ground ambulance vehicle and the provision of medically necessary supplies and services, including BLS ambulance services as defined by the state (Chapter 18.73 RCW, now or as hereafter amended). The ambulance must be staffed by an individual who is qualified in accordance with state and local laws as an emergency medical technician basic (EMT basic). Basic emergency medical technicians perform noninvasive, basic emergency treatment.

G. The use of the term “resident” in this section shall mean: a person whose principal place of residence is within the boundaries of the city.

H. As part of implementing this program, the Mayor may waive BLS transport fee charges that would otherwise be paid by the patient out of pocket after the application of any insurance, provided the patient provides the city with the medical insurance information and documentation needed to bill his or her insurance provider.

3.01.020 Medicare and Medicaid.

Charges for the BLS transport authorized by this chapter shall be construed and implemented in a manner consistent with Medicare and Medicaid requirements, when applicable. If any method or procedures authorized by this chapter for the purpose of establishing, implementing, imposing or collection of charges for BLS transport is found to conflict with Medicare and or Medicaid requirements, the conflicting part of this chapter shall be inoperative to the extent the same conflicts with Medicare and/or Medicaid requirements. The operation of the remainder of this chapter shall remain unaffected.

Section 3. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance,

including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 6. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 2nd day of January, 2024.


APPROVED by the Mayor this 2nd day of January, 2024.

Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

Laurie, Cassell, City Clerk

APPROVED AS TO FORM:



Jennifer S. Robertson
City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 1577