

ORDINANCE NO. 14951

FILE OF CITY COUNCIL

BILL NO. 98 -2011

NOVEMBER 16, 2011

AN ORDINANCE

Amends Article 391, City Billing for Emergency Medical Services, by updating this ordinance to adjust language to make the definitions consistent with the final draft of the Pennsylvania EMS Act 37, updates certain sections to reflect the General Fund, and increases fees to meet increases in the cost of doing business.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Article 391 be amended to read as follows:

BUSINESS REGULATION AND TAXATION CODE

TITLE NINE – FEES

- 391 City Billing For Emergency Medical Services
- 392 911 Fees
- 393 Public Works Fees
- 394 Fees for Collecting Delinquent Accounts
- 395 Community and Economic Development Fees
- 396 Transfer of Liquor License Fees
- 397 Police Fees
- 398 Fire Fees
- 399 Human Resource Fees
- 400 Park and Recreation Fees

391 CITY BILLING FOR EMERGENCY MEDICAL SERVICES

- 391.01 Purpose
- 391.02 Applicable To
- 391.03 Definitions
- 391.04 Policy
- 391.05 Procedure For Billing Emergency Medical Services
- 391.06 Effective Date

391.01 PURPOSE

The purpose of this article is to establish uniform criteria for the billing of Emergency Medical Services as provided by the City of Allentown EMS.

391.02 APPLICABLE TO
The Bureau of EMS Enterprise Fund (14843 § 1 12/1/10)

391.03 DEFINITIONS

ALS: Advanced Life Support -- the provision of an advanced level of care and/or resuscitation efforts utilizing advanced skills, medical equipment and/or techniques by an individual who is trained to provide prehospital emergency medical care at the paramedic, nurse or physician level; which includes, but is not limited to: the administration of intravenous fluids, medications, manual defibrillation, pacing, intubation of the airway and cardiac monitoring and / or the skill of providing an Advanced Life Support Assessment.

Advanced Life Support Assessment: Advanced life support (ALS) assessment is an assessment performed by an ALS crew as part of an emergency response that was necessary because the patient's reported condition at the time of dispatch was such that only an ALS crew was qualified to perform the assessment. An ALS assessment does not necessarily result in a determination that the patient requires an ALS level of service, but does allow for an ALS level of payment.

Advanced Life Support, Level 1 Emergency (ALS1-Emergency): The provision of an ALS assessment by an ALS provider and/or the provision of one or more ALS interventions, unless otherwise defined by the Centers for Medicare and Medicaid Services, in which such definition shall be incorporated herein by reference.

Advanced Life Support, Level 2 Emergency (ALS2-Emergency): The administration of at least three (3) medications or in some cases allowable multiple doses of the same medications and/or the provision of one or more of the following ALS procedures: Manual defibrillation, cardioversion, cardiac pacing, intubation of the airway, central venous line, chest decompression, surgical airway, or intraosseous line; unless otherwise defined by the Centers for Medicare and Medicaid Services, in which such definition shall be incorporated herein by reference.

BLS: Basic Life Support – the provision of a basic level of initial care and/or resuscitation efforts provided by an individual who is trained to provide emergency medical care which includes but is not limited to: CPR, opening and oxygenating the airway, attempting to control external bleeding, applying and operating an AED, bandaging, splinting and other basic skills of the First Responder, Emergency Responders or EMT. (Paramedics, nurses and physicians may also perform BLS skills even though they have a higher level of training)

Disposable Supplies: Disposable supplies utilized in excess of the customary amount and not exchanged/replenished from hospital stock or billed by the receiving hospital.

EMS: Emergency Medical Services -- the services utilized in responding to those persons presumed to be in need of immediate medical care within the jurisdiction of, and areas adjacent to the City of Allentown, provided by the City of Allentown bureau of Emergency Medical Services or those agencies operating in conjunction with the bureau of EMS.

EMS Provider: A person or persons who have been trained to any recognized level of competency as defined by the Pennsylvania Department of Health, including: Ambulance Attendant, First Responder, Emergency Responder, Emergency Medical Technician, Advanced Emergency Medical Technician – Paramedic, Critical Care Paramedic, Pre-Hospital Registered Nurse (PHRN), Nurse, Physician Extenders or Physician.

External Automated Defibrillation: The application of an automated external defibrillator (AED) used to

attempt to convert lethal abnormal electrical heart rhythms.

Extra Attendant: An additional attendant required to adequately manage patient care on scene or during patient transport.

Mileage: Distance traveled by an ambulance from the point where the patient is picked up ending at the destination, facility, usually a hospital.

Non-Resident: An individual domiciled outside of the City limits of Allentown.

Oxygen Administration: The administration of oxygen for the treatment of conditions resulting from oxygen deficiency.

Patient: Person receiving emergency medical services.

Reasonable Collection Efforts: The issuance of a bill to the patient or to the party responsible for the patient's personal financial obligations, and subsequent billings, collection letters and telephone calls or personal contacts which constitute a genuine, rather than token, collection effort.

Resident: An individual domiciled within the City limits of Allentown.

Rescue: Active utilization of fire department or EMS rescue tools and equipment to facilitate extrication of a patient from an entrapped or access-limited area.

SCT: Specialty Care Transport. Inter/intrafacility transportation of a critically injured or ill individual at a level beyond the scope of a Paramedic; unless otherwise defined by the Centers for Medicare and Medicaid Services, in which such definition shall be incorporated herein by reference.

BLS Encounter Charge: A charge to a patient (which may be paid by the patient's insurance in some cases) who has received an assessment or a BLS level of treatment by an EMS Provider at a scene, through actual, implied or informed consent, but who has refused transport to a hospital for any reason.

Special Event Stand-By: The utilization of an ambulance or squad vehicle and one or more EMS Providers to stand-by at a planned and organized activity, event or contest, where a large group or gathering is expected, when the likely potential for the provision of emergency medical services may exist.

Third Party Payer: An insurance carrier or other coverage provider having a responsibility or other obligation to pay for medical services rendered to a patient as a result of that patient's accident, injury or illness.

ALS Treat, No Transport Charge: A charge to a patient (which may be paid by the patient's insurance in some cases) who has received an ALS assessment or an ALS level of treatment by an EMS Provider at a scene, through actual, implied or informed consent, but who has refused transport to a hospital for any reason.

391.04 POLICY

- A. The City recognizes the need to bill for these services to aid in the provision of Emergency Medical Services.
- B. No person requiring Emergency Medical Services shall be denied service due to a lack of insurance or ability to pay.

- C. All patients, whether or not domiciled in the City, and/or their financially responsible parties, insurers or carriers will be billed for emergency medical services provided by the City according to the charges established in Section 391.05 or at rates established by the City from time to time.
- D. The City shall make reasonable collection efforts, in some cases according to the most current rules or regulations set forth by the Centers for Medicare and Medicaid Services. The City may bill any applicable co-insurance carriers for such amounts not covered by primary insurances, as applicable by law. Exceptions include only those instances where the City has made a determination that the cost of billing and collecting such co-payments or deductibles exceeds or is disproportionate to the amounts collected.
- E. City residents shall not be held responsible for any balance due that is not covered by an insurance carrier with the exception of the deductible as long as said resident complies within 30 days of the date of the encounter with any and all requests for insurance information or verification of insurance (or lack thereof) from the EMS billing department. If the resident does not respond to the requests within the time frame above, the resident shall be responsible for the amount owed. An exception to this is when City Ambulances are not available due to resource depletion based on heavy call volume and where mutual aid ambulances are substituted to provide EMS services within the City of Allentown. In those cases, City residents may have additional charges above and beyond those covered by insurance based on the billing practices of the mutual aid ambulance service. (14843 § 1 12/1/10)
- F. The City shall not balance bill when prohibited by law.
- G. The City will allow reasonable payment arrangements in the event a patient cannot pay a bill all at once. (14843 § 1 12/1/10)
- H. A patient who received payment for City EMS bills from a third party payor is obligated to remit such monies to the City of Allentown (provided that the patient has not paid the bills directly). The City shall hold any patient who does not do so liable for any costs or fees related to the City's expenses of recovering the patient's EMS service fee.

391.05 PROCEDURE FOR BILLING EMERGENCY MEDICAL SERVICES

After a patient encounter, the responding EMS personnel will prepare a detailed patient record or chart describing the encounter through a computerized records management system that adheres to State reporting standards. The federal Health Insurance Portability and Accountability Act (HIPAA) shall govern the use, distribution and security of all patient records. This chart of information will be transmitted to the bureau or agency responsible for billing with the following information if available:

- Name and address of patient and guarantor
- Social Security Number of the patient and guarantor
- Name and address of patient and/or guarantor's insurance carrier (if applicable)
- Date, time and EMS run number
- Point of origin and destination
- Suspected illness or injury
- Signature of the patient (when possible)
- Description of service provided

The billing department will encode the charges as established below based on level of service provided, or by the patient's reported condition at the time of the dispatch:

Ambulance Service	Amount
1. BLS – Emergency	545 <u>600</u>
2. ALS1 – Emergency	875 <u>920</u>
3. ALS Treat No Transport	445 <u>460</u>
4. ALS2 – Emergency	950
5. Specialty Care Transport (SCT)	1100
6. Mileage (Per Loaded Mile)	11.55 <u>12.70</u>
7. Rescue Service	825 <u>940</u>
8. Special Event Stand-By (Per Hour)	80
9. BLS Encounter Charge	100
10. Trip Sheet Fees	25
11. Failure to provide or respond to a request for insurance information by the City shall result in an additional fifty (\$50) Dollar fee applied to the balance owed.	
12. Failure to reimburse the City, as a result of an insurance provider paying the patient directly for EMS Services rendered, shall result in an additional fifty (\$50) dollar fee if reimbursement has not been received in sixty (60) days	

391.06 EFFECTIVE DATE

This regulation is effective January 1, 2012.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

Bureau of Emergency Medical Services Enterprise Fund

- Summary and Facts of the Bill

EMS is updating this ordinance to adjust language to make the definitions consistent with the final draft of the new Pennsylvania EMS Act 37. Further, a FEE increase adjusts our billing practices to meet increases in cost of doing business.

- Purpose – Please include the following in your explanation:
 - What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
 - What are the Benefits of doing this/Down-side of doing this
 - How does this Bill related to the City's Vision/Mission/Priorities

The Bill adjusts the language of the proposed revised ordinance to match the current business practices of the City of Allentown EMS. It further adjusts rates charged for EMS services.

The benefit of this Bill is multi-fold: First, it provides clear language to the citizens as to the way EMS services are billed, and the Bill re-adjusts our fees for service to including increases in the cost of doing business. The Bill serves the current City of Allentown goal of maximizing all sources of revenue in a way that is fair and consistent to our citizens.

- Financial Impact – Please include the following in your explanation:
 - Cost (Initial and ongoing)
 - Benefits (initial and ongoing)

There is no cost to implement this Bill. The benefits are immediate in the collection of increased revenue on a per call basis, consistent with prevailing rates from neighboring communities and other services like ours.

- Funding Sources – Please include the following in your explanation:
 - If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.

N/A

- Priority status/Deadlines, if any

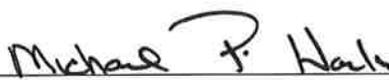
We respectfully request that this Bill be given priority consideration as there are no anticipated negative aspects to consider.

- Why should Council unanimously support this bill?

This Bill simply adjusts an already in place ordinance to be consistent with the rules, regulations and operational aspects of EMS and authorizes a fee increase. Unanimous support will amplify Council's own support for EMS and the importance of this essential City service.

	Yea	Nay
Michael D'Amore	x	
Michael Donovan	x	
Jeanette Eichenwald	x	
Julio A. Guridy	x	
Ray O'Connell	x	
Mike Schlossberg	x	
Peter G. Schweyer, Pres.	x	
TOTAL	7	0

I hereby certify that the foregoing Ordinance was passed by City Council on December 7th, 2011 without the Mayor's signature.


CITY CLERK