

ORDINANCE NO. 19-003

AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, BY AMENDING ARTICLE II, MUNICIPAL AMBULANCE SERVICE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Killeen Fire Department operates an emergency medical service; and

WHEREAS, Chapter 4 establishes regulations and fees for the operation of the Killeen Fire Department emergency medical services; and

WHEREAS, changes to the ordinance are necessary for the efficient operation of the Killeen Fire Department emergency medical services provided, **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS:

SECTION I. That Chapter 4 is hereby amended as follows:

ARTICLE II. - MUNICIPAL AMBULANCE SERVICE

DIVISION 1. - GENERALLY

Sec. 4-26. - 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:

* * *

Advanced life support (ALS) ambulance shall mean an emergency medical service vehicle that has complex, specialized, life-sustaining equipment and, ordinarily, equipped for radio-telephone contact with a physician or hospital. Typical of this type of ambulance would be mobile ~~coronary~~ intensive care units and other ambulance vehicles that are appropriately equipped and staffed by personnel trained and authorized to administer IVs, ~~provide anti-shock trousers,~~ establish and maintain a patient's airway, defibrillate the heart, relieve pneumothorax conditions and perform other advanced life support procedures or services such as cardiac (EKG) monitoring.

- (a) *Advanced life support, level 1* shall mean transportation by ground ambulance, medically necessary supplies and services and an ALS assessment by ALS personnel or the provision of at least one ALS intervention.
- (b) *Advanced life support, level 2* shall mean emergency transport by ground ambulance with administration of three or more medications by intravenous push/bolus or by continuous infusion excluding crystalloid, hypotonic, isotonic, and hypertonic solutions, or transportation, medically necessary supplies and services and the provision of at least one of the following ALS procedures:

Manual defibrillation/cardioversion, endotracheal intubation, central venous line, cardiac pacing, chest decompression, surgical airway, and intraosseous line.

* * *

Emergency medical service (EMS) personnel shall mean emergency care attendant; basic emergency medical technician; ~~intermediate~~ advanced emergency medical technician; or paramedic emergency medical technician.

* * *

DIVISION 2. - ADMINISTRATION

Sec. 4-27. - Creation; operation by fire department; officer in charge.

There shall be, and it is hereby created, a service to the people to be called the City of Killeen Emergency Medical Service, which service shall be operated within the city fire department and under the authority of the fire chief or his designated representative. The primary purpose of said service shall be for the care and transportation of persons with moderate to life threatening trauma or illness, ~~and only secondarily as a transfer service for the infirm.~~ The fire chief is authorized to allocate or withhold equipment and personnel as he deems necessary to assure that adequate emergency care and transportation is available at all times for legitimate emergency medical needs in the city.

* * *

Sec. 4-30. - Destinations of emergency trips.

- (a) The destination of all emergency trips shall be to the closest and most appropriate medical facilities facility within Bell County, Texas. ~~The patient may choose the medical facility destination so long as it is within Bell County. If the patient is unable for any reason, to make such choice, the city~~ EMS personnel shall have discretion to choose the facility according to the EMS standard operating procedures.
- (b) In the event of mutual aid assistance, the city's EMS unit shall deliver emergency trip patients as directed by the authorized person in charge of the jurisdiction requesting mutual aid, or in the event no such orders are given, the city EMS personnel shall deliver patients to the nearest appropriate facility.

* * *

Sec. 4-43. - Presumption.

- (a) It shall be prima facie evidence that the person utilizing such emergency medical service did so with the intent to defraud the city, upon showing that such person was notified in writing of the indebtedness due for such service, and upon failure of such person to either: pay for such indebtedness within sixty (60) days after receipt of notice, or during that time, to make arrangements with the finance department or any designated billing agent for periodic installment payments on the debt.
- (b) If an account is delinquent more than one hundred twenty (120) days, the account shall be turned over to a collection agency for collection process, or sued upon, or such other remedy provided by law for the collection of unpaid debt may be used.

Sec. 4-44. - Right of refusal of service.

The city emergency medical service shall reserve unto itself the right to refuse service to the following persons:

- (a) ~~Those described in subsection (a)1—3 below, unless accompanied by a peace officer:~~
 - 1. ~~Persons who are in confinement of, under control of, or have been placed under arrest by any law enforcement officer or agency; or~~
 - 2. ~~Persons who have been adjudged insane, incompetent or mentally ill by a court of competent jurisdiction, or who have such proceedings pending. No insane or mentally ill person will be transported without an attendant or nurse accompanying such person. The city shall not be responsible for obtaining any nurse or attendant.~~
 - 3. ~~Persons persons who, in the opinion of ambulance attendants, are unruly, disorderly, intoxicated or under the influence of alcohol or other substance to a degree that they cannot be transported in a safe manner, taking into consideration the safety and welfare of all occupants of the vehicle. Any drunk, disorderly or unruly person ordered by a doctor or peace officer to be transported in an ambulance may be refused by the city, unless such A person described in this section shall be refused unless accompanied by a peace officer in such ambulance.~~
- (b) Persons who, in the judgment of a paramedic on the scene, exhibit only normal health or a mild medical condition and not a medical emergency, not warranting use of the city's mobile intensive care units for immediate transportation (thereby assuring availability of such for legitimate medical emergencies). In such instances, the paramedic shall render any appropriate care or first aid, and inform the person that there are alternative methods of non-emergency transportation available (e.g., private vehicle, private ambulance transfer service, taxi, or public transportation). No city employee shall ever endorse or indicate favoritism for one transportation provider over another.

Sec. 4-45. - No transport calls.

When a call is received from a scene of an accident and/or event and treatment is provided but transport is unnecessary, a bill for services performed and supplies used will be charged if the cost exceeds \$25.00.

If a call is received from the patient's residence and no treatment is provided to the sick or injured, but and transportation to a medical facility is refused by the patient or family member, then a base rate fee of \$100.00 may be charged.

When ~~aid and/or patient assessment~~ treatment is provided to the sick or injured in response to a call for EMS, but transportation to a medical facility is refused by either the patient or a paramedic on the scene, then ~~no~~ a base rate fee of \$236.00 may be charged, if the call is to a location within the city limits. Fees for no-transport calls outside of the city limits shall be determined by contract with other governmental entities requesting the service.

DIVISION 3. - FEES

Sec. 4-46. - Fees.

- (a) Any person who uses the emergency medical services of the city, whether such person requested the same or not, shall pay for the service in accordance with the following fee schedule. Fees for services in addition to the ambulance service rate will be charged according to the fee schedule when additional services and supplies are needed by the person. The fee schedule shall apply to each person transported whether one or more persons are picked up in the same ambulance at the same time.
- (b) In the event a hospital, nursing home or other entity or individual is responsible for the transport, transfer or other transportation of a person using the ambulance service of the city, that responsible hospital, nursing home or other entity or individual shall pay for such service according to the following fee schedule:

Fee Schedule
(Based upon a one-way trip)

Service Fee

- (1) Basic Life Support Transport (Emergency) on Advanced Life Support Ambulance \$560.00
- (2) Advanced Life Support Transport, Level 1 \$690.00
- (3) Advanced Life Support Transport, Level 2 \$770.00
- (4) Additional attendant *\$50.00
 - * If CPR is administered, the patient's weight obviously exceeds 300 lbs., or the patient is carried up or down a long flight of stairs.
- (5) Treatment - no transport \$236.00
- (6) No transport - no treatment \$100.00

- (7) Mileage, per mile \$13.00
- (8) Extrication \$100.00
- (9) Oxygen, drugs, medications, miscellaneous bandages and supplies are charged according to the reasonable cost per item in accordance with the Health Care Financing Administration (HCFA).

Standing time. Every emergency trip or transfer to any hospital, clinic, doctor's office or other place will include a waiting period of not more than fifteen (15) minutes without additional charge. An additional charge of fifteen dollars (\$15.00) will be made for each fifteen (15) minutes or fraction thereof, that the ambulance unit and its equipment must wait at any hospital, clinic, doctor's office or other place prior to discharge.

Emergency service outside of city. Fees for emergency ambulance services provided by the City of Killeen Emergency Medical Service to locations outside of the Killeen city limits but within Bell County shall be made in accordance with an EMS service contract between the City of Killeen and Bell County. Fees for emergency ambulance service provided by the City of Killeen Emergency Medical Service to locations out of county shall be charged in accordance with the above fee schedule. An additional fee of two hundred dollars (\$200.00) shall be applied.

~~*In-county and out of county transfer service.* Each person transported on a non-emergency transfer basis, to and from points inside Bell County, shall be charged and pay the transfer and mileage fees stated above, or as modified by any EMS contract with another jurisdiction. Each person transported on a non-emergency transfer basis to or from a point outside of Bell County shall be charged and shall pay an additional two hundred dollars (\$200.00) for such service above prevailing rates and all charges for such service shall be paid for in advance. Availability of all transfer service is dependent on permission of the fire chief or his designee, based upon the need to assure adequate emergency personnel and equipment are present within the city at all times.~~

* * *

SECTION II: That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

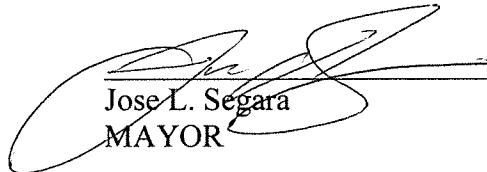
SECTION III: That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV: That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.


SECTION V: That this ordinance shall be effective upon publication.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, on this the 29th day of January, 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et. seq.*

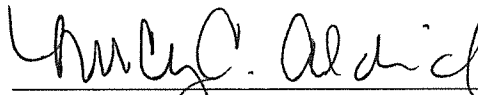
APPROVED:


Jose L. Segara
MAYOR

APPROVED AS TO FORM:


Kathryn H. Davis
CITY ATTORNEY

ATTEST:


Lucy C. Aldrich
CITY SECRETARY



CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: January 22, 2019
TO: Ronald L. Olson, City Manager
FROM: Brian Brank, Fire Chief
SUBJECT: Article II- Municipal Ambulance Service Ordinance Revision

BACKGROUND AND FINDINGS:

The Code of Ordinances Chapter 4 of the City of Killeen Section 4-26 through 4-46 contains outdated medical definitions, transport practices, and billing information. The last revision to the language in the ordinance was amended in 1996, as well as a fee schedule adjustment in 2015. This proposed change to this ordinance will alleviate antiquated language.

THE ALTERNATIVES CONSIDERED:

1. Adopt the proposed changes.
2. Do not adopt the proposed changes.

Which alternative is recommended? Why?

The Killeen Fire Department recommends adopting the proposed changes in order to modernize the language of the ordinance.

CONFORMITY TO CITY POLICY:

This item conforms to all state and local laws.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Staff recommends that the City Council approve the revision to the Municipal Ambulance Ordinance.

DEPARTMENTAL CLEARANCES:

Fire, Legal, Finance

ATTACHED SUPPORTING DOCUMENTS:

Ordinance