

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1239

BEING AN ORDINANCE ESTABLISHING RATES AND FEES  
FOR AMBULANCE SERVICES PERFORMED BY  
THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

WHEREAS, the Town of St. John, Lake County, Indiana ("Town") is authorized by state statute to implement an Emergency Medical Services ("EMS") Department for the benefit of its residents pursuant to I.C. 16-31-5-1; and

WHEREAS, the Town Council has determined that it is in the best interests of the citizens of the Town of St. John to create such an EMS Department and now finds that the general welfare and safety of the citizenry would be best served thereby; and

WHEREAS, the Town desires to operate an EMS Department with a Basic Life Support ambulance certified for transport to hospitals ("BLS Ambulance"), and certified Emergency Medical Technicians ("EMT"); and

WHEREAS, the Town has adopted the appropriate Rules and Regulations, Medical Protocols, EMS Operating Procedures, and EMS Operating Guidelines to govern the activities of its EMS Department, all through Ordinance 1238 and as it may be amended from time to time; and

WHEREAS, the Town has authorized the creation of employment positions for a full time Fire Chief, full and part-time EMTs and a Billing Clerk and has adopted salary and/or wage scales for those positions through Ordinance 1226 as they may be amended from time to time; and

WHEREAS, the Town has hired a full time Fire Chief to serve as the Department Head of the new EMS Department under the terms of its Personnel Policy Ordinance No. 1032 as it may be amended from time to time; and

WHEREAS, the Town has authorized the hiring of EMTs and a Billing Clerk to serve in the new EMS Department under the terms of its Personnel Policy Ordinance No. 1032 as it may be amended from time to time; and

WHEREAS, the Town has established a budget for both the annual operating expenses and the ongoing capital expenses ("EMS Costs"), for the effective and efficient operation of the EMS Department; and

WHEREAS, the Town desires to allocate the EMS Costs on a "Fee for Service" basis such that those people who directly benefit from the use of the Town's EMS Department are charged appropriate and reasonable fees that allow the Town to off-set as much of its EMS Costs as practical and so as to avoid significant net charges against its General Fund; and

WHEREAS, the Town desires its EMS Department to operate in a financially sound manner so as to have as little impact as practical on the amount of EMS Costs paid from its General Fund without reimbursement and thereby avoid the need to raise significant funds from resident property taxes to cover the EMS Costs; and

WHEREAS, the Town has determined that a separate schedule of rates and fees should apply for residents of the Town and non-residents of the Town.

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

SECTION 1. That an annual budget for the EMS Department shall be approved by the Town Council of the Town of St. John such that all the appropriate and discernible EMS Costs, whether their nature is operating, maintenance, replacement or capital, shall be determined during the time period when the Town normally adopts its overall annual budget.

SECTION 2. That the Fire Chief, the full- and part-time EMTs, and the Billing Clerk shall be paid as Town employees as provided in Salary Ordinance 1226 as amended from time to time. All expenses of the EMS Department shall be paid in accordance with the annual budget described above and the appropriate approvals by the Town Council of the Town of St. John as necessary.

SECTION 3. That in addition to the Fire Chief, the full- and part-time EMTs, and the Billing Clerk that serve as the primary staffing for the EMS Department, it is expected that from time to time one or more volunteer members of the St. John Volunteer Fire Department ("SJVFD") may also be assigned to assist the EMS Department when medical emergencies dictate the dispatch of the Town's BLS Ambulance. In those cases where volunteer members of the SJVFD are assigned to assist the EMS Department in such a medical emergency, those volunteer members of the SJVFD shall be paid as volunteers in the customary manner on a per call basis as provided in Salary Ordinance 1226 as amended from time to time.

SECTION 4. That when either an emergency call is made to the Town of St. John requesting an ambulance by dialing 911 ("911 Emergency Call") or a telephone call is placed to the St. John Police Department ("SJPD") or SJVFD requesting an ambulance ("Medical Emergency Call"), the Town EMS Department shall respond by dispatching its BLS Ambulance staffed with its EMTs, or if that BLS Ambulance is unavailable at that time, shall implement its backup procedures for the dispatch of an ambulance from another entity, whether public or private, for the stated medical emergency. Subject to the provisions stated in this Ordinance, the Town EMS Department shall send a billing for its services on all 911 Emergency Calls and Medical Emergency Calls where the Town BLS Ambulance is dispatched.

SECTION 5. That as used herein, the term "Medical Supplies" includes bandages, tourniquets, braces and all such materials customarily used by EMTs when administering to a patient/injured.

SECTION 6. That as used herein, "Mileage" includes the total round trip miles traveled by the Town BLS Ambulance from the St. John Fire Station to the incident scene and back to the Fire Station (when transport to a hospital is not made) or from the St. John Fire Station to the hospital and back to the Fire Station (if transport to a hospital is made).

SECTION 7. That in all cases where the Town's EMS Department is required to send a billing for its services in accordance with the provisions of this Ordinance, such billing shall be sent directly to the patient/injured in a timely manner and the patient/injured shall pay that billing to the Town of St. John in accordance with the payment provisions described further below. The Town of St. John shall not send billings for EMS activities directly to insurance carriers in order to seek

reimbursement from such insurance carrier, but shall cooperate in providing the appropriate information to the patient/injured and their insurance carrier so that the patient/injured may seek reimbursement from their insurance carrier.

SECTION 8. That in the event the Town BLS Ambulance is unavailable for dispatch when a 911 Emergency Call or a Medical Emergency Call is made, the EMS Department shall implement its backup procedures for the dispatch of an ambulance from another entity, whether public or private, for the stated medical emergency. In such a case, the Town of St. John shall not bill the patient/injured for EMS activities but such entity providing the ambulance will bill the patient/injured in accordance with its procedures.

SECTION 9. That a schedule of rates and fees, hereinafter referred to as "EMS Fees", is hereby established to recover the EMS Costs on a "Fee for Service" basis. Such EMS Fees shall be assessed to those persons who directly benefit from the dispatch of the Town BLS Ambulance and the use of services from the EMS Department as further described below.

<u>Service</u>	<u>EMS Fee</u>	
	<u>Resident</u>	<u>Non-Resident</u>
a. <b>"EMS Minimum Assist"</b> wherein the Town BLS Ambulance is dispatched as a result of a 911 Emergency Call or a Medical Emergency Call to assist a person who fell in their residence, and the patient/injured did not refuse service, and the service provided was limited to helping the person up from their fall, and Medical Supplies no more than ten (10) dollars in value were used, and transport to a hospital was not performed. If, in the foregoing case, Medical Supplies from the Town BLS Ambulance exceeding ten (10) dollars were used, the service performed is determined to be "EMS Assist" as described below. However, if a Town-owned vehicle other than the Town BLS Ambulance was dispatched due to a non-emergency call, whether any Medical Supplies were used, then no EMS Fees shall apply.	\$150	\$190
b. <b>"EMS Assist"</b> wherein the Town BLS Ambulance is dispatched as a result of a 911 Emergency Call or a Medical Emergency Call, and the patient/injured did not refuse service and the patient/injured either refused transport to a hospital, or transport to a hospital, for any reason, was not performed.	\$280	\$360



(In all cases where a patient/injured receives and/or accepts EMS services at the incident scene, this EMS Assist fee shall apply).

<p>c. <b>"EMS Transport"</b> wherein the Town BLS Ambulance is dispatched as a result of a 911 Emergency Call or a Medical Emergency Call, and the patient/injured did not refuse service, and the patient/injured did not refuse transport to a hospital, and transport to a hospital was performed. In all cases when a patient/injured is transported to a hospital, this EMS Fee for EMS Transport shall apply.</p>	\$560	\$680
<p>d. <b>"EMS False Alarm"</b> wherein the Town BLS Ambulance is dispatched as a result of a 911 Emergency Call or a Medical Emergency Call, and where it was determined by the EMS Department and confirmed in a report by the Fire Chief that the request to dispatch the Town BLS Ambulance was inadvertent or a genuine mistake, and where no EMS activities were provided nor any Medical Supplies of any value were used, and the patient/injured refused service, and transport to a hospital, for any reason, was not performed. The first occurrence of any such EMS False Alarm from the same location in a twelve month period shall not incur the stated fee, but the second or subsequent EMS False Alarm from that location in a twelve month period shall incur the stated fee.</p>	\$300	\$400
<p>e. <b>"EMS Prank Call"</b> wherein the Town BLS Ambulance is dispatched as a result of a 911 Emergency Call or a Medical Emergency Call, and where it was determined by the EMS Department and confirmed in a report by the Fire Chief that such call was intentionally false, and without regard to whether any EMS activities were provided, or any Medical Supplies of any value were used.</p>	\$1,000	\$1,250
<p>f. <b>"Medical Supplies"</b> shall be charged for any such materials described in Section 5, above, exceeding ten (10) dollars in value based on the typical costs of such materials paid by the Town, but such charges shall apply only in the cases when any of the EMS Fees described in Section 9,</p>	Actual Cost	Actual Cost

subsections (a.) through (e.) inclusive are charged.

g. **"Mileage"** shall be charged for the miles traveled by the Town BLS Ambulance as described in Section 6, above, whenever any of the EMS Fees described in Section 9, subsections (a.) through (e.) inclusive are charged except that no such charge shall apply when the total miles traveled are less than one (1). All funds collected for mileage shall be placed in a separate fund known as the Ambulance Capital Replacement Fund.

\$7.00 per mile    \$8.50 per mile

h. **"Late Fee"** will be assessed for any payment received by the Town more than thirty days following the date of the billing.

One (1%) percent per month  
on the unpaid balance.

SECTION 10. That every billing sent to a patient/injured shall itemize the service performed (e.g., EMS Assist, EMS Transport, etc.), the Medical Supplies used, the Mileage traveled, and any Late Fees, all in accordance with the provisions of this Ordinance. In addition, each billing shall also include at a minimum, the date and time of service, the hospital for transport (if transport to a hospital was performed), identification numbers for the EMTs that performed the service, the Town BLS Ambulance number, and the due date for payment. Every billing shall include a notice that Late Fees will apply if payment is received past the due date.

SECTION 11. That the employees of the Town EMS Department shall make a *bona fide* effort to bill and collect the EMS Fees as stated in this Ordinance. Failure to do so shall be treated as a Group ~~III~~ violation in the Town Personnel Policy Ordinance 1032 as amended from time to time. II

SECTION 12. That the Fire Chief of the Town of St. John is hereby authorized to issue and implement various orders ("EMS Directives") necessary for the daily functioning of the EMS Department in an effective and efficient manner, provided, however, that no such EMS Directives shall modify the provisions of this Ordinance. In all cases, in the event of a conflict, the Indiana statutes shall apply.

BE IT FURTHER ORDAINED that all existing ordinances, or parts thereof, in conflict with the provisions of this ordinance, are hereby deemed null, void, and of no legal affect, and are specifically repealed.

BE IT FURTHER ORDAINED that if any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance.

BE IT FURTHER ORDAINED that the Town Council declares an emergency and this ordinance shall take effect and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana,  
this 24<sup>th</sup> day of January, 2002.

Aye 5 Nay 0

TOWN COUNCIL, TOWN OF ST. JOHN,  
LAKE COUNTY, INDIANA

Kathleen J. Willman  
KATHLEEN J. WILLMAN

Kristie L. Aldridge  
KRISTIE L. ALDRIDGE

William M. Winterhaler  
WILLIAM M. WINTERHALER

Michael S. Forbes  
MICHAEL S. FORBES

Jerome J. Rudy  
JEROME J. RUDY

ATTEST:

Judith L. Companik  
JUDITH L. COMPANIK  
Clerk-Treasurer