

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO: 1449

AN ORDINANCE REPLACING TOWN CODE SECTIONS 2-143, 2-145, AND 2-152 PERTAINING TO AMBULANCE SERVICES AND FEES, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the provisions of Town Ordinance No. 1239, as amended from time to time, pertaining to Ambulance Service Rates and Fees, which has been codified at Section 2-141 through 2-152 of the St. John Town Code; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the provisions of Indiana Code §16-31-5, *et seq.*, pertaining to providing Town ambulance services; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, is aware that the Town currently provides Basic Life Support (BLS) Services to residents and non-residents; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined that in order to meet the needs of its citizens and non-residents, that the Town should offer and provide Advanced Life Support (ALS) Services; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised that the EMS Department has added Paramedics to the EMS Department staff and that the EMS Department has received state certification to provide ALS services; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed the applicable provisions of the Indiana Code, as well as the provisions of Town Code, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of St. John that replacing Town Code Sections 2-143, 2-145, and 2-152 is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That **Sec. 2-143**, entitled **Operation of BLS ambulance**, of **DIVISION 5**, entitled **EMERGENCY MEDICAL SERVICES (EMS) DEPARTMENT**, of **Chapter 2** entitled **ADMINISTRATION**, of the St. John Town Code, is hereby replaced to read and provide as follows, namely:

“Sec. 2-143. Operation of an Ambulance Service.

The EMS Department shall operate an ambulance service and respond to 911 emergency calls and medical emergency calls, all in conjunction with the terms of this Division and those provisions incorporated by reference herein.”

SECTION TWO: That **Sec. 2-145**, entitled **Backup Procedures**, of **DIVISION 5**, entitled **EMERGENCY MEDICAL SERVICES (EMS) DEPARTMENT**, of **Chapter 2** entitled **ADMINISTRATION**, of the St. John Town Code, is hereby replaced to read and provide as follows, namely:

“Sec. 2-145. Backup Procedures.

If at any time the town ambulance is unavailable to respond to a 911 emergency call or a medical emergency call, 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 this case, such entity will assume responsibility for the care of the patient/injured person.”

SECTION THREE: That **Sec. 2-152**, entitled **Rates and Fees**, of **DIVISION 5**, entitled **EMERGENCY MEDICAL SERVICES (EMS) DEPARTMENT**, of **Chapter 2** entitled **ADMINISTRATION**, of the St. John Town Code, is hereby replaced to read and provide as follows, namely:

“Sec. 2-152. Rates and Fees.

(a) An annual budget for the EMS Department shall be approved by the Town Council such that all 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 budget.

(b) The Fire Chief, the full and part time Emergency Medical Technicians (EMT), Paramedics, and billing clerk shall be paid as Town employees as provided in the Salary Ordinance, 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 as necessary.

(c) That in addition to the Fire Chief, the full and part time EMTs and Paramedics, and the Billing Clerk that serve as the primary staffing for the EMS Department, it is expected that from time to time one (1) 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 Ambulance service. 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 Town Salary Ordinance, as amended from time to time.

(d) 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 Ambulance staffed with its EMTs, Paramedics, and/or SJVFD personnel, or if a Town 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. In such a case, the Town shall not bill the patient/injured person for EMS activities, but such entity providing the ambulance will bill the patient/injured person in accordance with its procedures. Subject to the provisions stated herein, the Town EMS Department shall send a billing for its services rendered on all 911 Emergency Calls and Medial Emergency Calls where the Town Ambulance is dispatched.

(e) As used herein, the term "medical supplies" includes bandages, braces and all such materials customarily used by EMTs and Paramedics when administering aid to a patient/injured person.

(f) 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 for EMS activities shall be first sent directly to insurance carriers and/or other government insurance entities (such as Medicare and Medicaid), when such information has been provided, in order to seek reimbursement from such insurance entity for said EMS activities. If no insurance entity information is available or if the billing to the insurance entity remains unpaid from sixty (60) days after the initial billing, then such billing shall be sent to the patient/injured and the patient/injured shall pay the billing to the Town of St. John in accordance with the payment provisions described further below.

(g) As used herein, the term "Basic Life Support" or "BLS" shall mean when medically necessary, the provisions of BLS services as defined in the National EMS Education and Practice Blueprint for the EMT-Basic, including establishment of a peripheral intravenous line.

(h) As used herein, the term "Advanced Life Support, Level 1" or "ALS1" shall mean when medically necessary, the provision of an assessment by an ALS provider or the provision of one or more ALS interventions. An ALS provider is defined as a provider trained to the level of EMT-Intermediate or Paramedic as defined in the National EMS Education and Practice Blueprint. An ALS intervention is defined as any procedure beyond the scope of an EMT-Basic.

(i) As used herein, the term "Advanced Life Support, Level 2" or "ALS2" shall mean when medically necessary, the administration of three (3) or more different medications 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.

(j) That a schedule of rates and fees (EMS Fees) is hereby established to recover the EMS costs on a "Fee for Service" basis. Resident is hereby defined as any person who lives in the corporate limits of the Town of St. John and Non-Resident is hereby defined as any person who does not live in the corporate limits of the Town of St. John. Such EMS Fees shall be assessed to those persons, or guardian for those persons, who directly benefit from the dispatch of the Town Ambulance and the use of services from the EMS Department as further described as follows:

<u>SERVICE</u>	<u>Type</u>	<u>EMS FEE</u>	
		<u>Resident</u>	<u>Non-Resident</u>
(1) <i>ALS1 Treatment and no Transport.</i> Wherein the Town Ambulance is dispatched as a result of a 911 emergency call and the patient/injured person did not refuse ALS1 Service. The patient/injured person refused to be transported to the hospital in the Town Ambulance.		\$100.00	\$150.00
(2) <i>EMS Transport.</i> Wherein the Town Ambulance is dispatched as a result of a 911 Emergency Call or a Medical Emergency Call and the patient/injured person did not refuse transport to a hospital, and transport to a hospital was performed. In all cases when a patient/injured person is transported to a hospital, this EMS Fee for EMS Transport shall apply.	BLS	\$460.00	\$580.00
	ALS1	\$560.00	\$680.00
	ALS2	\$660.00	\$780.00
(3) <i>EMS False Alarm.</i> Wherein the Town 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 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 person refused service, and no transport to a hospital was not provided. The first occurrence of any such EMS False Alarm from the same location in a twelve (12) month period shall not incur the stated fee, but the second or subsequent EMS False alarm from that location in a twelve (12) month period shall incur the stated fee.		\$200.00	\$300.00
(4) <i>EMS Prank Call.</i> Wherein the Town 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.		\$1,000.00	\$1,250.00
(5) <i>Medical Supplies.</i> Shall be charged for any such materials described in Subsection (e) above, based on the typical cost of such materials paid by the Town, but such charges shall apply only in cases when any of the EMS Fees described in this subsection (j) are charged.		Actual Cost	Actual Cost
(6) <i>Mileage.</i> Shall be charged for total miles traveled by the Town Ambulance with a patient/injured person physically on board the Ambulance whenever transport to the hospital is made. All funds collected for mileage shall be placed in separate fund known as the Ambulance Capital Replacement Fund.		\$14.00 per mile	\$17.00 per mile

(k) All billings not paid within ninety (90) days of the billing date shall accrue interest at the rate of 1% per month on the unpaid balance, which shall be known as a Late Fee. In the event that the Town has to file a lawsuit to collect the unpaid billings, the Town is authorized to collect court costs and attorney fees in addition to all other fees stated herein.

(l) That every billing sent to a patient/injured person and/or insurance entity shall itemize the service performed, 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, level of care, the date and time of service, the hospital for transport (if transport to a hospital was performed), identification numbers for the EMTs and/or Paramedics that performed the service, the Town Ambulance number, and the due date for payment. Every billing shall include a notice that a Late Fee will apply if payment is received past the due date.

(m) The employees of the Town EMS Department shall make a bona fide effort to bill and collect the EMS fees as stated in this Division. Failure to do so shall be treated as a group II violation of the Town Personnel Policy, as amended from time to time.

(n) The Fire Chief 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 Division. In all cases, in the event of a conflict, the state statutes shall apply.”

SECTION FOUR: That all remaining terms and provisions of Town Code Chapter 2, Division 5, and all amendments thereto, not amended hereby, are hereby ratified and reaffirmed in all respects.

SECTION FIVE: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION SIX: 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.

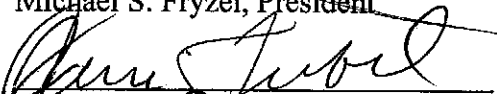
SECTION SEVEN: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED THIS 24th DAY OF MAY, 2007, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

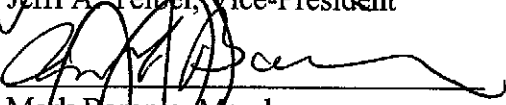
TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL



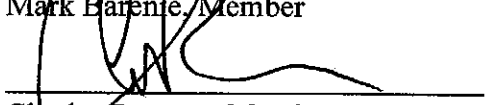
Michael S. Fryzel, President



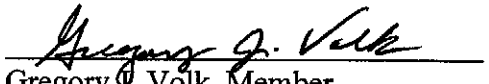
Jerri A. Teibel, Vice-President



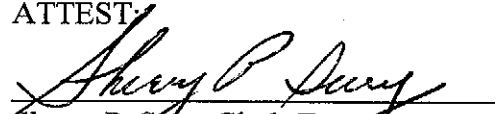
Mark Barente, Member



Charles Pearson, Member



Gregory G. Volk, Member

ATTEST:


Sherry P. Sury, Clerk-Treasurer