

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE TITLE 4 TO ADD A NEW CHAPTER OMC 4.39 RELATING TO RECOVERY OF CERTAIN COSTS OF PROVIDING BASIC LIFE SUPPORT EMERGENCY MEDICAL SERVICES TRANSPORT

WHEREAS, the City of Olympia currently provides basic life support ("BLS") emergency medical services ("EMS") and BLS emergency medical services transport ("BLS Transport") without charge; and

WHEREAS, pursuant to RCW 35A.11.020, as an exercise of the power granted by RCW 35.27.370(15), the City Council of the City of Olympia has discretion to charge fees to those receiving BLS Transport from the City; and

WHEREAS, such BLS Transport user fees are often covered by medical insurance policies, including but not limited to Medicare and Medicaid; and

WHEREAS, funds derived from the City's general fund are insufficient to fully fund the City's BLS and BLS Transport costs; and

WHEREAS, as a result, BLS and BLS Transport services must be subsidized by funds from the City's General Fund; and

WHEREAS, the City Council finds that those benefitting from the City's BLS Transport should be charged a fee to reimburse the City for at least some portion of the cost of the BLS Transport; and

WHEREAS, the City recognizes that provision must be made for those persons who do not have medical insurance, Medicare, Medicaid, or are otherwise without financial means to pay for BLS Transport;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC Title 4. Olympia Municipal Code Title 4 is hereby amended to add a NEW CHAPTER 4.39 to read as follows:

**Title 4
FEES AND FINES**

Chapters:

- 4.02 Police Department Fees**
- 4.04 Engineering Fees**
- 4.16 House Movers License**
- 4.18 Parks, Arts and Recreation Department Fees**
- 4.24 Utility Charges**
- 4.36 Building Code Review and Permit Fees**
- 4.38 Fire System Fees**
- 4.39 **Fire Basic Life Support Transport Fees****
- 4.40 Land Use Application Review Fees**
- 4.44 Uniform Civil Enforcement**
- 4.50 Civil Infractions**

4.60 Administrative Fees
4.70 Residential Parking Fees

Chapter 4.39
FIRE BASIC LIFE SUPPORT TRANSPORT FEES

4.39.000 Chapter Contents

Sections:

- 4.39.010 BLS Transport User Fee Imposed
- 4.39.020 Medicare and Medicaid
- 4.39.030 Policy and Financial Assistance

4.39.010 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 ("the Fee"). The initial base Fee is set at \$1,300.00, plus a mileage fee of \$28.75 per mile, calculated at the pick-up or emergency scene and ending at the final destination or admitting medical facility. The Fee may be automatically adjusted annually by reference to the Consumer Price Index (CPI) for the Seattle-Tacoma-Bellevue area, plus two percent (2%). The City Manager or designee shall establish a procedure to implement, bill, invoice, and collect Fees.
- B. Any person who supplies the City with the medical insurance information and documentation needed to bill their insurance provider for the Fee, and who assigns their 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 their insurer(s).
- C. A person who does not supply the City with the medical insurance information and documentation needed to bill their insurance provider or who fails to assign such benefits to the City because they are unwilling, or because they do not have any type of insurance coverage for such charges, shall be billed for the entire Fee.
- D. The use of the term "insurance" or any variation thereof in this section shall include Medicare and Medicaid.
- E. 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 ("EMT"). Emergency medical technicians perform non-invasive, basic emergency treatment.

4.39.020 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 remains unaffected.

4.39.030 Policy and Financial Assistance.

A. It is the City's policy that ability to pay is not a condition of BLS Transport service. All aspects of emergency medical services the City currently provides, including BLS Transport, shall be provided to all patients without discrimination toward those with no ability or inadequate ability or means to pay.

B. The City Manager or designee shall establish a program consistent with criteria and rules set forth in WAC 246-453-001 through 246-453-060, now or as hereafter amended, to provide financial assistance and/or debt forgiveness to persons that do not have the ability to pay for some or all of the Fee.

Section 2. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. Effective Date. This Ordinance shall take effect after passage and publication, as provided by law, on September 20, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: