

ORDINANCE NO. 5239

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE MESA CITY CODE, TITLE 7, NEW CHAPTER 5, AUTHORIZING THE CITY OF MESA, THROUGH ITS FIRE AND MEDICAL DEPARTMENT, TO RECOVER COSTS RELATED TO COMMUNITY PARAMEDICAL SERVICES PROVIDED BY COMMUNITY CARE RESPONSE UNITS AND COSTS RELATED TO OTHER PARAMEDIC SERVICES RESULTING IN TRANSPORT TO AN EMERGENCY DEPARTMENT.

**WHEREAS**, the City Council recognizes and supports the Mesa Fire and Medical Department's operation of community care response units, in partnership with local healthcare providers, to respond to low acuity 911 calls; and

**WHEREAS**, the City Council recognizes that the Mesa Fire and Medical Department is continuing to develop similar community paramedical programs utilizing the community care response units in an effort to decrease the costs associated with unnecessary emergency room admissions and readmissions and provide higher quality and more efficient coordinated patient care; and

**WHEREAS**, while these innovative operations and programs have the potential to generate savings in the overall cost of healthcare, the City Council recognizes that the City, by and through its Fire and Medical Department, has incurred, and will continue to incur, costs associated with the provision of community paramedical services; and

**WHEREAS**, to maintain the viability of the community care response units and other community paramedical programs, the City Council has determined that it is necessary to charge fees related to low acuity community paramedical services provided via the community care response units; and

**WHEREAS**, the City Council supports expansion of the Mesa Fire and Medical Department's community paramedical programs to include paramedic services resulting in transport to emergency departments, and recovery of reasonable costs incurred in performing those services.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Mesa as follows:

**SECTION 1:** That Mesa City Code Title 7 is amended by the addition of a new Chapter 5 as follows:

Title 7, Chapter 5      **COMMUNITY CARE RESPONSE UNIT COST RECOVERY**

7-5-1	PURPOSE
7-5-2	DEFINITIONS
7-5-3	BILLABLE COSTS AND RATES
7-5-4	PROCEDURE FOR BILLING

**Section 7-5-1 PURPOSE**

THE PURPOSE OF THIS CHAPTER IS TO ALLOW THE CITY OF MESA, BY AND THROUGH ITS FIRE AND MEDICAL DEPARTMENT, TO RECOVER BILLABLE COSTS ASSOCIATED WITH THE PROVISION OF LOW ACUITY COMMUNITY PARAMEDICAL SERVICES PROVIDED BY COMMUNITY CARE RESPONSE UNITS AND ANY PARAMEDIC SERVICES RESULTING IN TRANSPORT TO AN EMERGENCY DEPARTMENT.

**Section 7-5-2 DEFINITIONS**

IN THIS CHAPTER, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS STATED IN THIS SECTION UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (A) BILLABLE COSTS MEANS THE REASONABLE COSTS INCURRED IN (I) RESPONDING TO A LOW ACUITY 911 CALL; (II) IN PROVIDING LOW ACUITY PARAMEDICAL SERVICES VIA COMMUNITY CARE RESPONSE UNITS INCLUDING, BUT NOT LIMITED TO, LABOR, EQUIPMENT USAGE, DISPOSABLE SUPPLIES, MEDICAL SUPPLIES, MEDICATIONS, OXYGEN-RELATED COSTS, MILEAGE, FUEL, AND ANY OTHER COSTS NOT PROHIBITED BY STATE OR FEDERAL LAW; AND (III) COSTS INCURRED IN PROVIDING PARAMEDIC SERVICES RESULTING IN TRANSPORT TO AN EMERGENCY DEPARTMENT.
- (B) COMMUNITY CARE RESPONSE UNIT MEANS A TEAM COMPRISED OF A MESA FIRE AND MEDICAL DEPARTMENT PARAMEDIC, EMERGENCY MEDICAL TECHNICIAN, AND A CONTRACTED NURSE PRACTITIONER OR PHYSICIAN'S ASSISTANT OR BEHAVIORAL HEALTH CRISIS COUNSELOR, OR ANY COMBINATION THEREOF, WHICH RESPONDS TO LOW ACUITY 911 CALLS AND PROVIDES LOW ACUITY COMMUNITY PARAMEDICAL SERVICES.
- (C) LOW ACUITY 911 CALL MEANS A CALL ORIGINATING THROUGH THE 911 SYSTEM THAT DOES NOT REQUIRE ACUTE EMERGENCY RESPONSE OR TRANSPORT TO AN EMERGENCY DEPARTMENT.
- (D) LOW ACUITY COMMUNITY PARAMEDICAL SERVICES MEANS SERVICES PROVIDED BY A COMMUNITY CARE RESPONSE UNIT, INCLUDING, BUT

NOT LIMITED TO: FIRST-AID; ADMINISTERING OXYGEN; SUTURING; ADMINISTERING GLUCOSE FOR DIABETICS; ADMINISTRATION OF ANTIBIOTICS OR OTHER MEDICATION OR TREATMENT FOR ASTHMA ATTACKS, ALLERGIC REACTIONS AND OTHER SIMILAR CONDITIONS; IMMUNIZATIONS AND OTHER PREVENTATIVE CARE; BEHAVIORAL HEALTH ASSESSMENTS; REFERRALS; POST-HOSPITAL FOLLOW-UP CARE; COMMUNITY AND PATIENT OUTREACH; TRANSPORT TO APPROPRIATE FACILITIES; AND OTHER SERVICES AS DEFINED BY THE MESA FIRE AND MEDICAL DEPARTMENT MEDICAL DIRECTOR.

- (E) THIRD PARTY PAYER MEANS AN INSURANCE CARRIER OR OTHER COVERAGE PROVIDER, INCLUDING A PRIVATE INSURANCE CARRIER, MEDICARE OR MEDICAID.

### **Section 7-5-3 BILLABLE COSTS AND RATES**

- (A) THE MESA FIRE AND MEDICAL DEPARTMENT IS AUTHORIZED TO BILL APPLICABLE THIRD PARTY PAYERS FOR ALL REASONABLE BILLABLE COSTS INCURRED IN OR RELATED TO THE PROVISION OF LOW ACUITY COMMUNITY PARAMEDICAL SERVICES BY COMMUNITY CARE RESPONSE UNITS. THE DEPARTMENT SHALL NOT DIRECT BILL PATIENTS.
- (B) THE COMMUNITY CARE RESPONSE UNIT SHALL, AT THE TIME SERVICE IS PROVIDED OR AS SOON AS PRACTICABLE THEREAFTER, OBTAIN ALL PERTINENT INSURANCE AND PAYMENT INFORMATION FROM THE INDIVIDUAL TO WHOM SERVICE IS PROVIDED, OR FROM THE INDIVIDUAL'S FAMILY MEMBER, AGENT, OR OTHER REPRESENTATIVE, TO FACILITATE THE BILLING OF THIRD PARTY PAYERS FOR SUCH SERVICES.
- (C) THE RATES CHARGED FOR TRANSPORTATION SERVICES PROVIDED BY COMMUNITY CARE RESPONSE UNITS ON LOW ACUITY 911 CALLS OR WHILE PROVIDING LOW ACUITY COMMUNITY PARAMEDICAL SERVICES SHALL NOT EXCEED THE RATES ESTABLISHED BY THE ARIZONA HEALTHCARE COST CONTAINMENT SYSTEM, MEDICARE OR PRIVATE INSURANCE PAYERS, AS MAY BE AMENDED FROM TIME TO TIME, FOR TRANSPORTATION AND OTHER RELATED SERVICES. RATES AND CHARGES FOR DISPOSABLE SUPPLIES, MEDICAL SUPPLIES, MEDICATION, AND OXYGEN RELATED COSTS SHALL NOT EXCEED THE MANUFACTURER'S SUGGESTED RETAIL PRICE AND SHALL BE COMPARABLE TO RATES FIXED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES APPLICABLE TO AMBULANCE PROVIDERS.

(D) THE MESA FIRE AND MEDICAL DEPARTMENT IS AUTHORIZED TO BILL FOR ALL REASONABLE COSTS INCURRED IN PROVIDING PARAMEDIC SERVICES RESULTING IN TRANSPORT TO AN EMERGENCY DEPARTMENT AT RATES ESTABLISHED BY THE ARIZONA DEPARTMENT OF HEALTH SERVICES.

**Section 7-5-4 PROCEDURE FOR BILLING**

(A) THE CITY OF MESA, THROUGH ITS FIRE AND MEDICAL DEPARTMENT, IS AUTHORIZED TO ENTER INTO A CONTRACT WITH A THIRD PARTY BILLING AGENCY FOR PERFORMANCE OF THE BILLING AUTHORIZED UNDER THIS CHAPTER; PROVIDED, HOWEVER, THAT THE FOLLOWING STANDARDS FOR SUCH THIRD PARTY BILLING CONTRACTS ARE MET:

1. ALL THIRD PARTY BILLING SERVICES ARE TO BE PROVIDED AT AN AMOUNT CONSISTENT WITH FAIR MARKET VALUE FOR SERVICES RENDERED. THE CITY MAY CONTRACT FOR SUCH SERVICES ON A PERCENTAGE OF COLLECTIONS BASIS OR OTHER MANNER CONSISTENT WITH THE THIRD PARTY BILLING AGENCY'S PRACTICE.
2. THE THIRD PARTY BILLING AGENCY HAS IN PLACE A COMPLIANCE PROGRAM CONFORMING TO STANDARDS SET FORTH IN THE OFFICE OF INSPECTOR GENERAL'S COMPLIANCE PROGRAM GUIDANCE FOR THIRD PARTY MEDICAL BILLING COMPANIES, 63 FEDERAL REGISTER 70138, AS AMENDED.
3. FUNDS PAYABLE TO THE CITY OF MESA BY THIRD PARTY PAYERS AND/OR CARRIERS ARE NOT NEGOTIATED BY BILLING AGENCIES BUT ARE INSTEAD DEPOSITED DIRECTLY INTO A DESIGNATED CITY OF MESA ACCOUNT, THROUGH LOCK BOX OR SIMILAR ARRANGEMENT.
4. NEITHER THE BILLING AGENCY NOR ANY OF ITS EMPLOYEES ARE SUBJECT TO EXCLUSION FROM ANY STATE OR FEDERAL HEALTH CARE PROGRAM.
5. THE BILLING AGENCY IS BONDED AND/OR INSURED IN AMOUNTS SATISFACTORY TO THE CITY OF MESA.

(B) NOTHING IN THIS SECTION SHALL PROHIBIT THE CITY OF MESA, THROUGH ITS FIRE AND MEDICAL DEPARTMENT, FROM PERFORMING THE BILLING SERVICES SET FORTH HEREIN IN LIEU OF CONTRACTING WITH A THIRD PARTY BILLING AGENCY.

SECTION 2: That the Mesa City Code, as amended, will remain in full force and effect, save and except as amended by this Ordinance.

SECTION 3: That the terms and provisions of this Ordinance are severable and if any section, subsection, section, clause, phrase or portion of this Ordinance, or any part of the Mesa City Code adopted herein by reference, is for any reason held to be invalid, unenforceable or unconstitutional by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in effect.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 25th day of August, 2014.



APPROVED:

*Christopher J. Slamm*  
Vice Mayor

ATTEST:

*DeAnn Mickelson*  
City Clerk