

Bill No. 25-08
Concerning: Emergency Medical
Services Transport Fee – Imposition
Revised: _____ Draft No. _____
Introduced: June 10, 2008
Expires: December 10, 2009
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN ACT to:

- (1) authorize the Fire and Rescue service to impose and collect a fee to recover costs generated by providing emergency medical service transports;
- (2) provide for a schedule of emergency medical services transport fees, fee waiver criteria, permitted uses of fee revenues, and other procedures to operate the emergency medical services fee program;
- (3) prohibit a Local Fire and Rescue Department from imposing a separate emergency medical services transport fee;
- (4) require the Executive to issue certain regulations to implement an emergency medical services transport fee; and
- (5) generally amend County law regarding the provision of emergency medical services.

By adding

Montgomery County Code
Chapter 21, Fire and Rescue Service
Section 21-23A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 21-23A is added as follows:**

2 **21-23A Emergency Medical Services Transport Fee.**

3 **(a) Definitions.**

4 In this section the following terms have the meanings indicated:

5 (1) Emergency medical services transport means the transportation
6 by the Fire and Rescue Service of an individual by ambulance.
7 Emergency medical services transport does not include the
8 transportation of an individual under an agreement between the
9 County and a health care facility.

10 (2) Federal poverty guidelines means the applicable health care
11 poverty guidelines published in the Federal Register or otherwise
12 issued by the federal Department of Health and Human Services.

13 (3) Fire and Rescue Service includes each local fire and rescue
14 department.

15 **(b) Imposition of fee.** The Fire and Rescue Service must impose a fee for
16 any emergency medical service transport provided in the County and,
17 unless prohibited, outside the County under a mutual aid agreement.

18 **(c) Liability for fee.**

19 (1) A County resident is responsible for the payment of the
20 emergency medical services transport fee only to the extent of the
21 resident's available insurance coverage.

22 (2) Subject to subsection (d), all other individuals are responsible for
23 payment of the emergency medical services transport fee without
24 regard to insurance coverage.

25 **(d) Hardship waiver.**

26 (1) The Fire Chief must waive the emergency medical services
27 transport fee for any individual who is indigent under the federal

28 poverty guidelines. An individual must request a waiver on a
29 form approved by the Fire Chief.

30 (2) The Fire Chief may deny a request for a waiver if the individual
31 who claims financial hardship under this Section does not furnish
32 all information required by the Fire Chief.

33 **(e) Obligation to transport.** The Fire and Rescue Service must provide
34 emergency medical services transport to each individual without regard
35 to the individual's ability to pay.

36 **(f) Restriction on Local Fire and Rescue Departments.** A local fire and
37 rescue department must not impose a separate fee for an emergency
38 medical transport.

39 **(g) Use of revenue.** The revenues collected from the emergency medical
40 services transport fee must be used to supplement, and must not
41 supplant, existing expenditures for emergency medical services and
42 other related fire and rescue services provided by the Fire and Rescue
43 Service.

44 **(h) Regulations; fee schedule.** The County Executive must adopt a
45 regulation under method (2) to implement the emergency medical
46 service transport fee program. The regulation must establish a fee
47 schedule based on the cost of providing emergency medical services
48 transport. The fee schedule may include an annual automatic
49 adjustment based on inflation, as measured by an index reasonably
50 related to the cost of providing emergency medical services transports.
51 The regulation may require individuals who receive an emergency
52 medical services transport to provide financial information, including
53 the individual's insurance coverage, and to assign insurance benefits to
54 the County.

55 *Approved:*

56

Michael J. Knapp, President, County Council

Date

57 *Approved:*

58

Isiah Leggett, County Executive

Date

59 *This is a correct copy of Council action.*

60

Linda M. Lauer, Clerk of the Council

Date