

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING MESA CITY CODE TITLE 7, CHAPTER 5, SECTIONS 1, 2 AND 3, ENTITLED "COMMUNITY CARE RESPONSE UNIT COST RECOVERY."

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

ADDITIONS TO THE TEXT ARE SHOWN IN BOLD, ALL CAPITAL LETTERS AND UNDERLINED: ABC

DELETIONS TO THE TEXT ARE SHOWN AS STRIKE-OUTS: ~~Abe~~

SECTION 1: That Title 7, Chapter 5 of the Mesa City Code is hereby amended as follows:

CHAPTER 5

~~COMMUNITY CARE RESPONSE UNIT COST RECOVERY~~ **COST RECOVERY**

SECTION:

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

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~~ **MEDICAL SERVICES, INCLUDING TRANSPORT SERVICES TO AND BETWEEN HEALTH CARE FACILITIES.**

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 **PROVIDING MEDICAL SERVICES** ~~(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) providing paramedical 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)~~ **(B) MEDICAL SERVICES MEANS SERVICES PROVIDED WHEN RESPONDING TO AN EMERGENCY MEDICAL SITUATION OR A 911 CALL FOR ON-SITE EMERGENT OR LOW-ACUITY MEDICAL CARE; INITIAL CARE; FOLLOW-UP CARE; AND/OR PRELIMINARY TREATMENT PROCEDURES BY EMERGENCY MEDICAL TREATMENT PROVIDERS, INCLUDING, BUT NOT LIMITED TO, EMERGENCY MEDICAL TECHNICIANS, PARAMEDICS, LICENSED NURSES, NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, AND BEHAVIORAL HEALTH CRISIS COUNSELORS; AND/OR TRANSPORT SERVICES TO AND BETWEEN HEALTH CARE FACILITIES.**

~~(D) 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.~~

~~(E) 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 or 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 Director.~~

~~(F)~~ **(C)** Third Party Payer means an insurance carrier or other coverage provider, including a private insurance carrier, Medicare or Medicaid.

7-5-3: BILLABLE COSTS AND RATES

(A) The Mesa Fire and Medical Department is authorized to bill applicable **INDIVIDUALS AND** third party payers for all reasonable billable costs incurred in or related to the provision of **MEDICAL SERVICES**~~low acuity community paramedical services by community care response units.~~

(B) ~~The community care response unit shall, a~~At the time of service is provided or as soon as practicable thereafter, the Mesa Fire and Medical Department shall 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 Health Care 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.~~
- (C) The Mesa Fire and Medical Department **MAY ADOPT BILLING RATES SET BY A STATE AGENCY OR A STATE OR FEDERAL INSURANCE PROGRAM, AS APPLICABLE, SET BILLING RATES THROUGH CONTRACTS WITH THIRD PARTY PAYERS, OR ESTABLISH REASONABLE RATES TO RECOVER BILLABLE COSTS, SO LONG AS SUCH RATES DO NOT VIOLATE STATE OR FEDERAL LAWS OR REGULATIONS. SUCH RATES SHALL BE SET FORTH IN A SCHEDULE OF FEES AND CHARGES AND ADOPTED BY A RESOLUTION OF THE CITY COUNCIL.** 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.

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, sentence, 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 7th day of November, 2016.

APPROVED:

Mayor

ATTEST:

City Clerk