

## Ordinance 0011-22 – Emergency Services Billing

An Ordinance to amend Chapter 38 of the Municipal Code of the City of Racine, Wisconsin.

Part 1: Chapter 38, Article II, section 38-21, Definitions, of the Municipal Code of the City of Racine, Wisconsin, is amended by inserting the following definitions in proper alphabetical order:

*Assisted-living facility* means a residential setting that provides assisted-living services for remuneration to four or more persons who reside in such residential setting and are not related to the owner of the residential setting and, except as provided herein, includes a home, an apartment, or a facility. Assisted-living does not include a home, an apartment, or a facility in which (i) casual care is provided at irregular intervals or (ii) a competent person residing in such home, apartment, or facility provides for or contracts for his or her own personal or professional services if no more than fifty percent of the persons residing in such home, apartment, or facility receive such services.

*Emergency Medical Treatment* means treatment beyond an initial assessment routinely performed by the Racine Fire Department.

*Lift Assist* means a response by the Racine Fire Department to assist in physically moving a person who does not require emergency medical treatment or transportation in an assisted living facility and or nursing care facility.

*Nursing care facility* means a facility where medical care, nursing care, rehabilitation, or related services and associated treatment are provided for a period of more than twenty-four consecutive hours to persons residing at such facility who are ill, injured, or disabled.

*Private ambulance service* means any entity licensed by the State of Wisconsin or other states to provide private (not municipal based) ambulance transport of patients from the hospital to home, hospital to an assisted living facility, home to hospital or assisted living facility to hospital transport by way of a licensed motor vehicle.

Part 2: Chapter 38, Article II, section 38-22, Ambulance billings, of the Municipal Code of the City of Racine, Wisconsin, is amended as follows:

In the title, the words “and lift assist cost recovery” are inserted after the word “billings.”

The following language is inserted following subsection (d):

- (e) Lift Assist for Assisted Living facilities, Nursing Care facilities, or Private Ambulance service where no transport is required by the fire department ambulance crew.
  - (1) The City may recover, from any facility or private ambulance provider the City's expenses for any non-emergency lift assist response.

- (2) The City shall charge a fee to the identified assisted living facilities, nursing care facilities, or private ambulance service for services provided by the Racine Fire Department in connection with providing a lift assist to any person.
- (3) The fee for providing such lift assist shall be for services accumulated in a single calendar year from January 1 through December 31 and are defined in the fee schedule as established by the common council. Breakdown categories for charging fees are:

1 to 2 assists to a single address– no fee
3 to 5 assists to a single address
6 to 7 assists to a single address
8 to 9 assists to a single address
Each additional occurrence above 9 assists to a single address

- (4) The Fire Department shall maintain records in connection with services provided pursuant to this policy, and shall create billing documents, and shall forward records to the fire department’s contracted billing agent who will be responsible to invoice affected facility or private ambulance provider. If fees become delinquent, they will progress through the normal EMS billing cycles, per the current contract with the billing agent. If the billing is not paid within 180 days of invoicing the balance due shall constitute a special charge against the property where the assistance was provided under Section 66.601(16) of the Wisconsin Statutes, and shall be placed on the annual tax roll for collection as a special charge. All proceedings related to the collection of real estate taxes shall apply.
- (5) Any assisted living facility, nursing care facility or private ambulance provider subject to a fee under this policy may within thirty (30) days of issuance of such a bill appeal to the City of Racine Finance Committee in writing.

Part 3: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: These fees shall be as determined by the budget as set forth in the fee schedule and established by the common council.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor’s signature, or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor’s objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.