

ARTICLE 1120

EMERGENCY MEDICAL SERVICES

- 1120.01 Designation as Primary Provider.
- 1120.02 Definitions.
- 1120.03 Policy - Advanced Life Support Services Required.
- 1120.04 Policy for EMS Billing.
- 1120.05 Procedure for EMS Billing.
- 1120.06 EMS Right of First Refusal

CROSS REFERENCES

Emergency Medical Services Act 45 - 1985 (35 P.S. Sec. 6921)

1120.01 DESIGNATION AS PRIMARY PROVIDER

The City of Bethlehem hereby recognizes the City's Emergency Medical Services ("EMS") Bureau as the primary provider of pre-hospital emergency medical services within the corporate limits of the City. All persons in need of such services are entitled to receive them without prior determination of the ability to pay.

1120.02 DEFINITIONS

A. ADVANCED LIFE SUPPORT, LEVEL 1 (ALS-1): providing transportation by ground ambulance vehicle, medically necessary supplies and services and either an ALS assessment by ALS personnel or the provision of at least one ALS intervention.

B. ADVANCED LIFE SUPPORT, LEVEL 2 (ALS-2): providing either transportation by ground ambulance vehicle, medically necessary supplies and services, and the administration of at least three medications by intravenous push/bolus or by continuous infusion excluding crystalloid, hypotonic, isotonic, and hypertonic solutions (Dextrose, Normal Saline, Ringer's Lactate); or providing transportation, medically necessary supplies, and services, and the provision of at least one of the following ALS procedures:

- (1) Manual defibrillation/cardioversion; or –
- (2) Endotracheal intubation; or –
- (3) Central venous line; or –
- (4) Cardiac pacing; or –
- (5) Chest decompression; or –

- (6) Surgical airway; or –
- (7) Intraosseous line.

C. **ADVANCED LIFE SUPPORT TREATMENT NO TRANSPORT:** providing treatment at the scene of a 911 call at the ALS level of care and no transport to a hospital is required (such as a hypoglycemic patient).

D. **BALANCE BILLING:** the practice of charging a beneficiary more than the difference between the provider's actual charge and the amount provided by the insurance carrier according to any contractual agreements.

E. **BASIC LIFE SUPPORT (BLS-E):** providing transportation by ground ambulance vehicle and the provision of medically necessary supplies and services, including BLS ambulance services as defined by the State.

F. **EMERGENCY MEDICAL TECHNICIAN (“EMT”)-PARAMEDIC:** an individual having special, well-defined skills and knowledge in emergency medicine, who has training to provide pre-hospital emergency medical treatment at an advanced level and is certified by the Pennsylvania Department of Health in accordance with the current EMT-paramedic National standards curriculum.

G. **EMERGENCY MEDICAL SERVICES (“EMS”):** services utilized in responding to needs of those persons in need of immediate medical care within the jurisdiction and adjacent to the City of Bethlehem, including but not limited to the rendering of advanced life support care, provided by Bethlehem EMS.

H. **EMERGENCY RESPONSE:** a BLS or ALS level of service that has been provided in immediate response to a 911 call. An immediate response is one in which the ambulance provider/supplier begins as quickly as possible to take the steps necessary to respond to the call.

I. **LOADED MILES:** see “Mileage”.

J. **MILEAGE:** the distance traveled by an ambulance from the point where the patient is picked up, to the hospital or to a rendezvous point.

K. **NON-RESIDENT:** an individual domiciled outside the City of Bethlehem.

L. **PATIENT:** a person who receives an EMS response or a person who receives emergency medical services from the City of Bethlehem EMS.

M. **REASONABLE COLLECTION EFFORTS:** the issuance of a bill to the patient or to the party responsible for the patient's personal financial obligations, and subsequent billings, collection letters and telephone calls or personal contacts which constitute a genuine, rather than

token, collection effort. The City expressly incorporates herein by reference any subsequent definition of this term set forth by the Health Care Financing Administration in Section 5220 of the Medicare Carriers Manual or its successor.

N. **RESIDENT:** an individual domiciled within the City of Bethlehem. A resident for the purposes of this Article, includes but is not limited to, full time residents of the City of Bethlehem, full time students residing within the City limits, long term guests of a resident of the City, and employees on duty with City business.

O. **SERVICE CHARGE:** a charge to a patient who has received evaluation or treatment but who has not been transported by EMS due to the refusal of care or for other reasons (auto accidents).

P. **STAND-BY SERVICE FEE (per hour):** a charge for an ambulance and crew to an organization or individual for a mandated or requested scheduled stand-by event (such as Musikfest, football games, etc.).

Q. **THIRD PARTY PAYER:** insurance carrier or other coverage provided, having the responsibility to pay for medical services rendered to a patient as a result of that patient's accident, injury or illness.

(Ord. 2009-11. Passed 4/7/2009.)

1120.03 POLICY - ADVANCED LIFE SUPPORT SERVICES REQUIRED

A. The City of Bethlehem hereby mandates Advanced Life Support (ALS) with a minimum crew of two EMT-paramedics as the minimum standard of care for all 9-1-1 ambulance calls and emergency ambulance transports arising in the City of Bethlehem, and shall bill accordingly at an ALS or BLS level. The provisions of this paragraph shall apply to all services provided by the City and to mutual aid response of other ambulance providers answering emergency 9-1-1 calls within the City limits.

B. Exceptions to the provision of ALS/BLS with two EMT-paramedic crews may be made only in the case of disaster or when all two EMT-paramedic ALS units are unavailable.

(Ord. 2009-11. Passed 4/7/2009.)

1120.04 POLICY FOR EMS BILLING

A. The City of Bethlehem recognizes the need to bill for these services to aid in the provision of Emergency Medical Services.

B. No person requiring EMS shall be denied services due to a lack of insurance or ability to pay.

C. Any applicable charges for EMS rendered shall be billed directly to the patient or to the patient's third party payer.

D. A patient who receives emergency medical services from the City of Bethlehem is obligated, at the time of service or as soon as practicable thereafter, to provide to the City of Bethlehem all pertinent insurance and payment information to facilitate the City of Bethlehem billing of third party payment sources for services rendered. The City of Bethlehem may, at its option, and shall, where required by law, bill insurers or carriers on a patient's behalf and may accept payment on an assignment basis.

E. All patients, whether or not domiciled in the City of Bethlehem, and/or their financially responsible parties, insurers or carriers, will be billed for emergency medical services provided by the City of Bethlehem according to the Fee Schedule established herein or at rates established by the City of Bethlehem from time to time. All patients, whether or not domiciled in the City of Bethlehem, shall be liable for any co-payment, deductibles and patient responsibility amounts not satisfied by public or private insurance, and the City of Bethlehem shall make reasonable collection efforts for all such balances according to the most current rules or regulations set forth by applicable Health Care Financing Administration federal policies and regulations. The City of Bethlehem may bill any applicable coinsurance carriers for such amounts. Exceptions include only those instances where the City of Bethlehem has knowledge of a particular patient's indigence or where the City of Bethlehem has made a determination that the cost of billing and collecting such co-payments, deductibles and patient responsibility amounts exceeds or is disproportionate to the amounts to be collected. (Ord. 2009-11. Passed 4/7/2009.)

F. The City of Bethlehem shall not balance bill when prohibited by law.

G. A patient for whom the City of Bethlehem does not bill on assignment and who receives payment directly from a third party payer for emergency medical services rendered by the City of Bethlehem is obligated to remit such monies to the City of Bethlehem in the event the City of Bethlehem has not been paid for services rendered. Patients who do not remit such monies may be held liable for costs of collection in addition to the charges for emergency medical services rendered.

H. The City of Bethlehem may, either directly or through any third party billing agency with which it has contracted for billing and/or collections for emergency medical services, make arrangements with patients and/or their financially responsible party for installment payments of bills so long as the City of Bethlehem determines that: (1) the financial condition of the patient requires such an arrangement; and (2) the patient and/or financially responsible party has demonstrated a willingness to make good faith efforts towards payment of the bill.

1120.05 PROCEDURE FOR EMS BILLING

A. The City of Bethlehem is hereby authorized to enter into a contract with a third party billing agency and/or collection agency for performance of EMS billing and/or collection services, 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 will not contract for such services on a percentage of collections basis.
- (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 Bethlehem by third party payers and/or carriers are not negotiated by billing agencies but are instead deposited directly into a designated City of Bethlehem account, through a 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 Bethlehem.

B. A detailed listing of patients who utilize Emergency Medical Services will be compiled by the City of Bethlehem Emergency Medical Services. This information will be transmitted to the agency responsible for billing in the form of a patient care report. The information will however be subject to the confidentiality requirements of applicable law. This information will include, at a minimum, the following:

(Ord. 2009-11. Passed 4/7/2009.)

- (1) Name, address, and telephone number of patient.
- (2) Name, address and claim number of insurance carrier, if applicable.
- (3) Date, time and EMS chart number.
- (4) Point of origin and destination.
- (5) Odometer reading at point of pick up and destination.

- (6) Reason for transport/ patient’s complaint/ current condition.
- (7) Itemization and description of services provided and charges.
- (8) Signature of the patient, when possible, or authorized decision maker.
- (9) Name of receiving physician.
- (10) Names, titles, and signatures of ambulance personnel, when possible.

C. The fee schedule for emergency medical services shall be as follows:

- (1) Advanced Life Support, Level 1 (ALS1): \$800.00
- (2) Advanced Life Support, Level 2 (ALS2): \$875.00
- (3) Basic Life Support, (BLS-E): \$700.00
- (4) Mileage (ALS/BLS) (Per Loaded Mile): \$ 15.00
- (5) Service charge: \$ 75.00
- (6) [reserved] [reserved]
- (7) ALS Treatment No Transport: \$440.00
- (8) ALS Assist with BLS: \$200.00
- (9) Patient Care Report (PCR): \$ 25.00

(Ord. 4384. Passed 5/2/2006; Ord. 4430. Passed 5/1/2007; Ord. 2009-11. Passed 4/7/2009; Ord. 2014-5. Passed 3/4/2014; Ord 2021-26. Passed 10/5/2021.)

D. The fees established in Section C. above shall be modified from time to time through a Resolution adopted by City Council. (Ord. 2009-11. Passed 4/7/2009; Ord. 2014-5. Passed 3/4/2014.)

E. The City may, in its discretion, bill additionally for material, vehicle and personnel costs in the case of major or unique incidents.

F. The EMS Bureau may promulgate rules and regulations pursuant to and not inconsistent with this ordinance, state and federal law, such rules and regulations to be approved by Resolution of City Council.

1120.06 EMS RIGHT OF FIRST REFUSAL

As a condition of any lease, license or permit for the use of City property for a large gathering that may require emergency medical stand-by services, Bethlehem EMS (EMS) shall have the right of first refusal to provide such services. (Ord. 2014-5. Passed 3/4/2014.)

(Ord. 3176. Passed 4/19/1988; Ord. 3441. Passed 11/19/1991; Ord. 3577. Passed 11/9/1993; Ord. 3680. Passed 4/4/1995; Ord. 3740. Passed 3/5/1996; Ord. 3806. Passed 3/4/1997; Ord. 3931. Passed 1/5/1999; Ord. 4200. Passed 6/17/2003.)