

ORDINANCE O-4378

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING SECTION 5.75.010 OF THE KIRKLAND MUNICIPAL CODE TO PROVIDE FOR POTENTIAL ANNUAL INCREASES TO THE EMERGENCY MEDICAL SERVICES TRANSPORT FEE BY THE CITY MANAGER BASED ON THE CONSUMER PRICE INDEX.

WHEREAS, the Kirkland City Council adopted Kirkland Municipal Code Chapter 5.75 in 2011 to allow charging for emergency medical services; and

WHEREAS, at that time Council reserved to itself the ability to increase those fees as needed; and

WHEREAS, a more efficient procedure would be to authorize the City Manager to administratively make such increases if deemed necessary on an annual basis so long as the Consumer Price Index supports such an increase.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Section 5.75.010 is hereby amended to read as follows:

5.75.010 EMS transport fee imposed.

a. All persons receiving emergency medical services transport ("EMS Transport") by the City's Fire Department after February 28, 2011, shall be charged and billed an EMS Transport fee ("the Fee"). The initial Fee is set at \$600 per transport plus \$14.00 per mile. ~~The Fee shall be adjusted as necessary by resolution of the City Council. The Fee will be reviewed annually, and, effective January 1st of each year, may be~~ administratively increased by an adjustment to reflect the current published annual change in the Seattle Consumer Price Index for Wage Earners and Clerical Workers as needed in order to maintain the cost recovery objectives established by the City Council. The City Manager or his/her designee shall establish a procedure to bill and collect Fees.

b. A resident of the City, or an employee transported from his or her place of employment within the City, who supplies the City with the medical insurance information and documentation needed to bill his or her insurance provider for the Fee, and who assigns his or her insurance benefits for the same to the City, shall not be billed for that portion of the Fee that is in excess of amounts paid by his or her insurer(s).

c. A person who does not meet the criteria set forth above in subsection B, who supplies the City with the medical insurance information and documentation needed to bill his or her insurance provider for the Fee, and who assigns his or her insurance benefits for

the same to the City, shall be billed for that portion of the Fee that is in excess of amounts paid by his or her insurer(s).

d. A person, regardless of residence or status as an employee within Kirkland, who does not supply the City with the medical insurance information and documentation needed to bill his or her insurance provider or who fails to assign such benefits to the City because he or she is unwilling, or because he or she does not have any type of insurance coverage for such charges, shall be billed for the entire Fee.

e. The Fee herein imposed shall not apply to persons transported by the City's Fire Department from jurisdictions outside the City's boundaries so long as those jurisdictions do not charge an EMS transport fee.

f. The use of the term "insurance" or any variation thereof in this section shall include Medicare and Medicaid.

g. The use of the term "EMS Transport" in this section shall mean: Transportation by ground ambulance vehicle and the provision of medically necessary supplies and services, including BLS ambulance services as defined by the state (Chapter 18.73 RCW). The ambulance must be staffed by an individual who is qualified in accordance with state and local laws as an emergency medical technician basic (EMT Basic). Basic emergency medical technicians perform non-invasive, basic emergency treatment.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 2nd day of October, 2012.

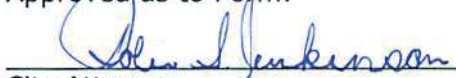
Signed in authentication thereof this 2nd day of October, 2012.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney