

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2019 Legislative Session

Legislative Day No. **4**

Bill No. 9 -2019

Introduced by the Chairperson at the request of the County Executive

AN ACT authorizing the County to establish charges to recover costs generated by providing emergency medical services; defining certain terms; requiring a certain reimbursement; providing for certain waivers; providing that out-of-pocket payments for emergency medical services shall not be required from certain individuals; requiring the County Council to adopt by Resolution a Rate schedule; authorizing the County Executive to adopt certain regulations; and generally relating to the Emergency Medical Services Insurance Reimbursement Program.

Introduced and read first time _____, 2019. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2019.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2019 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2019 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2019

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the Howard
2 County Code is amended as follows:

3 By adding:

4 Title 17 – Public Protection Services.

5 Subtitle 1 – Fire and Rescue Services.

6 Section 17.112. Emergency Medical Services Insurance Reimbursement
7 Program.

8
9 **Title 17. Public Protection Services.**

10 **Subtitle 1. Fire and Rescue Services.**

11
12 **SECTION 17.112. EMERGENCY MEDICAL SERVICES INSURANCE REIMBURSEMENT**
13 **PROGRAM.**

14 (A) *OBLIGATION TO PROVIDE CARE AND TRANSPORT; PROHIBITED CONDUCT.*

15 (1) THE FIRE AND RESCUE SERVICE MUST PROVIDE EMERGENCY MEDICAL SERVICES
16 CARE AND TRANSPORT UNDER APPLICABLE MEDICAL PROTOCOLS TO ALL
17 INDIVIDUALS WITHOUT REGARD TO THE INDIVIDUAL'S ABILITY TO PAY OR THE
18 INDIVIDUAL'S INSURANCE COVERAGE.

19 (2) ANY PERSONNEL OF THE FIRE AND RESCUE SERVICE WHO RESPOND TO A REQUEST
20 FOR EMERGENCY MEDICAL SERVICES MAY NOT ASK FOR ANY INFORMATION
21 RELATING TO AN INDIVIDUAL'S INSURANCE COVERAGE DURING THE PROVISION OF
22 EMERGENCY MEDICAL SERVICES.

23 (B) *DEFINITIONS.* IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS AS
24 INDICATED:

25 (1) *CHARGE* MEANS THE EMERGENCY MEDICAL SERVICES REIMBURSEMENT CHARGE.

26 (2) *EMERGENCY MEDICAL SERVICES* MEANS EMERGENCY MEDICAL CARE,
27 TRANSPORTATION, OR BOTH EMERGENCY MEDICAL CARE AND TRANSPORTATION,
28 PROVIDED BY THE FIRE AND RESCUE SERVICE FOR AN INDIVIDUAL.

29 (3) *FEDERAL POVERTY GUIDELINES* MEANS THE APPLICABLE HEALTH CARE POVERTY
30 GUIDELINES PUBLISHED IN THE FEDERAL REGISTER OR OTHERWISE ISSUED BY THE
31 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES.

1 (4) *FIRE AND RESCUE SERVICE* MEANS THE HOWARD COUNTY DEPARTMENT OF FIRE
2 AND RESCUE SERVICES AND INCLUDES VOLUNTEER FIRE AND RESCUE
3 CORPORATIONS RECOGNIZED BY SECTION 17.103 OF THIS CODE.

4 (5) *PROGRAM* MEANS THE EMERGENCY MEDICAL SERVICES INSURANCE
5 REIMBURSEMENT PROGRAM.

6 (C) *IMPOSITION OF CHARGE*. THE COUNTY MAY:

7 (1) IMPOSE A CHARGE FOR EMERGENCY MEDICAL SERVICES PROVIDED IN THE COUNTY
8 BY THE FIRE AND RESCUE SERVICE; AND

9 (2) ENTER A MUTUAL AID AGREEMENT WITH OTHER JURISDICTIONS REGARDING THE
10 COLLECTION OF CHARGES.

11 (D) *LIABILITY FOR CHARGE*. AN INDIVIDUAL WHO RECEIVES EMERGENCY MEDICAL
12 SERVICES:

13 (1) EXCEPT AS PROVIDED IN SUBSECTION (E) OR (F), IS RESPONSIBLE FOR PAYMENT OF
14 THE CHARGE;

15 (2) SHALL PROVIDE INFORMATION REQUESTED BY THE COUNTY INCLUDING, WITHOUT
16 LIMITATION, INFORMATION RELATED TO THE INDIVIDUAL'S INSURANCE COVERAGE;
17 AND

18 (3) SHALL ASSIGN INSURANCE BENEFITS TO THE COUNTY FOR THE PAYMENT OF THE
19 CHARGE COVERED AND REIMBURSED BY THE INDIVIDUAL'S INSURANCE COMPANY.

20 (E) *UNINSURED PORTION OF THE CHARGE*. A COUNTY RESIDENT SHALL NOT BE REQUIRED
21 TO PAY ANY OUT-OF-POCKET EXPENSE RELATING TO ANY EMERGENCY MEDICAL SERVICES
22 PROVIDED BECAUSE THE RESIDENT IS DEEMED TO HAVE PAID ANY CO-PAYMENT,
23 DEDUCTIBLE, OR UNINSURED PORTION OF THE COST OF EMERGENCY MEDICAL SERVICES
24 THROUGH TAXES PAID TO THE COUNTY.

25 (F) *HARDSHIP WAIVER*.

26 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY SHALL
27 WAIVE THE CHARGE FOR ANY INDIVIDUAL WHOSE HOUSEHOLD INCOME IS AT OR
28 BELOW 300 PERCENT OF THE FEDERAL POVERTY GUIDELINES. AN INDIVIDUAL MUST
29 REQUEST A WAIVER ON A FORM APPROVED BY THE COUNTY.

1 (2) THE COUNTY MAY DENY A REQUEST FOR A WAIVER IF THE INDIVIDUAL WHO CLAIMS
2 FINANCIAL HARDSHIP UNDER THIS SUBSECTION DOES NOT FURNISH ALL THE
3 INFORMATION REQUIRED BY THE COUNTY.

4 (G) *USE OF REVENUE AND COLLECTION OF FUNDS.* REVENUES COLLECTED BY THE
5 PROGRAM SHALL BE:

6 (1) COLLECTED AND PROCESSED IN ACCORDANCE WITH FISCAL PROCEDURES
7 ESTABLISHED OR APPROVED BY THE HOWARD COUNTY DEPARTMENT OF FINANCE
8 FOR THE COLLECTION, DISBURSEMENT, AND ACCOUNTING OF FUNDS;

9 (2) DEPOSITED INTO THE FIRE AND RESCUE FUND, WITH APPROPRIATIONS BEING MADE
10 THROUGH THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE.

11 (H) *RATE SCHEDULE.* THE COUNTY COUNCIL SHALL ADOPT BY RESOLUTION A RATE
12 SCHEDULE THAT SHALL BE BASED ON THE COST OF PROVIDING EMERGENCY MEDICAL
13 SERVICES AND MAY BE ADJUSTED ANNUALLY BASED ON INFLATION, AS MEASURED BY AN
14 INDEX REASONABLY RELATED TO THE COST OF PROVIDING EMERGENCY MEDICAL SERVICES.

15 (I) *REGULATIONS.*

16 THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.

17

18 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland that*
19 *this Act shall become effective 61 days after its enactment.*