County Council of Howard County, Maryland

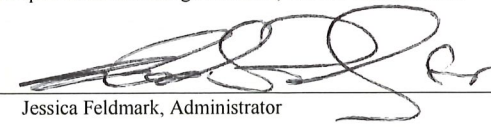2019 Legislative Session   Legislative Day No. 4
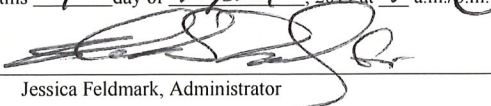
Bill No. 9 -2019

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 ____March 4____, 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 ____March 18____, 2019.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on ____April 1____, 2019 and Passed X, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____4____ day of ____April____, 2019 at 5 a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive ____April 5____, 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.*

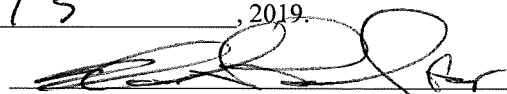16   THE COUNTY EXECUTIVE MAY ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.

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.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on
_____April 5_____, 2019.

_____

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2019.

_____

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2019.

_____

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2019.

_____

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2019.

_____

Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2019.

_____

Jessica Feldmark, Administrator to the County Council