

CLARK COUNTY FIRE PROTECTION DISTRICT 6
RESOLUTION 2015-03
Excessive Use of EMS

A RESOLUTION, SUPERSEDING RESOLUTION 2009-05 AND RESOLUTION #186, ESTABLISHING A FEE SCHEDULE AND BILLING PROCEDURE FOR EXCESSIVE USE OF EMERGENCY MEDICAL SERVICES.

Whereas, Clark County Fire Protection District 6 commenced operation of an Advanced Life Support Emergency Medical Services in January of 1981, based on the assumption that such a program could be operated on a minimal budget if individuals needing aid would only call for assistance in time of genuine emergency and,

Whereas, it now appears that the District's ability to provide services to the majority of the citizens can be jeopardized when individuals place excessive demands on the system, and

Whereas, the District has determined that more than ten (10) emergency medical calls in a calendar year requested by an individual that are not medically necessary is considered to be excessive, and

Whereas, RCW 52.12.131 authorizes the District to establish and collect reasonable charges for EMS responses to reimburse the District for the cost of providing the services.

Whereas, the District has determined that the additional costs incurred by excessive use of the EMS system requires that an additional fee be charged per call "Excessive Use Charge."

Whereas, the Excessive Use Charge shall be designed to cover the actual cost of the excessive calls based on the current Washington Fire Chiefs rates; and

Whereas, the District shall establish a notice and appeal process associated with the Excessive Use Charge to insure that the charge is assessed only in appropriate circumstances.

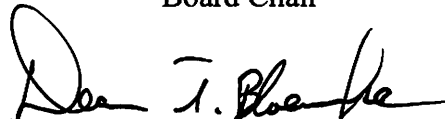
Now therefore, be it resolved by the Board of Commissioners of Clark County Fire Protection District 6, Clark County, Washington as follows:

1. Individuals that place more than ten (10) EMS calls per calendar year that are not medically necessary shall be subject to an Excessive Use Charge.
2. The Excessive Use Charge shall be based upon the actual cost of the EMS call as determined under the current Washington Fire Chiefs rates.
3. Prior to assessing an Excessive Use Charge, the District shall use the following notification process:


- a. Once an individual has accumulated eight (8) EMS calls in a calendar year that are not medically necessary the District shall notify the individual of the District's excessive use policy by certified mail and first class mail. "Excessive Use Notice." The Excessive Use Notice shall identify the prior EMS calls, the current amount of the estimated Excessive Use Charge.
 - b. In the event the District fails to provide the notice after eight (8) EMS calls, the District shall provide the notice at such time as the excessive use is identified and shall not impose a charge on the next two EMS calls.
4. Subsequent to receipt of the Notice of Excessive Use, if an individual calls for more than two additional EMS calls within the calendar year that are not medically necessary the District shall charge the individual with an Excessive Use Charge for each subsequent EMS call during the calendar year.
5. If an individual disagrees with the assessment of an Excessive Use Charge, the individual shall have 45 calendar days from the date the individual is notified of the Excessive Use Charge in which to appeal such charge to the Board of Commissioners using the following process.
 - a. The appeal shall be in writing and shall set forth the name, address and phone number of the person requesting the appeal; the amount of the Excessive Use Charge; the dates on which it was incurred and the basis for the objection.
 - b. The Fire Chief or designee shall set a hearing date and time within two weeks of the date of receipt of an appeal and shall advise the individual of the hearing date, time and location using the address and telephone information provided by the individual.
 - c. Failure of the individual to appear for the hearing without prior notice and excuse shall constitute a waiver of the hearing.
 - d. At the hearing, the individual shall have the opportunity to present evidence and argument in support of individual's objections to the Excessive Use Charge.
 - e. The Board of Commissioners shall consider the evidence and argument submitted by the individual (and may discuss and evaluate in a meeting closed to the public in accordance with RCW 42.30.140(2)). The Board may decide the appeal at the hearing but shall, in any event, issue a written determination on the appeal within 30 days of the hearing.
6. In the event an Excessive Use Charge is not paid or appealed within 60 days of billing, the District shall pursue collection of the past due amounts in conjunction with the District's established debt collection policy.

Adoption: ADOPTED by the Board of Commissioners of Clark County Fire Protection District. 6, Clark County, Washington, at a regular open public meeting of such Board on the 7th day of April, 2015, the following commissioners being present and voting:


Board Chair


Commissioner

Commissioner


Secretary to Board