



**CITY OF PLANO
COUNCIL AGENDA ITEM**

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|---|----------------------------------|-----------------------------|--|---------------|
| CITY SECRETARY'S USE ONLY | | | | |
| <input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory | | | | |
| Council Meeting Date: | | 10/10/11 | | |
| Department: | | Fire | | |
| Department Head | | Hugo R. Esparza, Fire Chief | | |
| Agenda Coordinator (include phone #): Cynthia Morgan, x7164 | | | | |
| CAPTION | | | | |
| An Ordinance of the City of Plano, Texas, amending Section 8-3 of Article I of Chapter 8, Fire Prevention and Protection, of the Code of Ordinances of the City of Plano, Texas, to delete provisions involving the City's policy to respond to emergency ambulance calls and the boundaries for transporting patients for medical care, and providing a repealer clause, a savings clause, a severability clause, and an effective date. | | | | |
| FINANCIAL SUMMARY | | | | |
| <input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP | | | | |
| FISCAL YEAR: 11/12 | Prior Year (CIP Only) | Current Year | Future Years | TOTALS |
| Budget | 0 | 0 | 0 | 0 |
| Encumbered/Expended Amount | 0 | 0 | 0 | 0 |
| This Item | 0 | 0 | 0 | 0 |
| BALANCE | 0 | 0 | 0 | 0 |
| FUND(s): | | | | |
| COMMENTS: This item has no fiscal impact. STRATEGIC PLAN GOAL: Amending the City's Code of Ordinances relates to the City's Goal of Partnering for Community Benefit and Financially Strong City with Service Excellence. | | | | |
| SUMMARY OF ITEM | | | | |
| The Fire Department recommends the deletion of Subsection 8-3(a) concerning the Department's policy of responding to emergency ambulance calls only as it is superfluous and unnecessary to include in the Ordinance, and Subsection 8-3(b) as the boundaries as stated are outdated. | | | | |
| List of Supporting Documents: | | | Other Departments, Boards, Commissions or Agencies | |
| Memo to LaShon Ross; Ordinance | | | | |



MEMORANDUM

From the Office of the Fire Chief

Date: September 29, 2011
To: LaShon Ross, Deputy City Manager
From: Hugo Esparza, Fire Chief 
Subject: Recommended Change to City of Plano Ordinance Sections 8-3 (a) & (b)

A recent review by the Plano Fire Department (PFD) and the City's Legal Department of City of Plano Ordinance Section 8-3(b) entitled City Ambulance Service revealed that this provision is outdated. There have been many changes in the PFD transport protocols due to more hospitals being established in the surrounding areas. The current ordinance states: "... it shall be the policy of the city fire department to allow transport only to a hospital of choice within the geographic boundaries of Highway 121 to US 75 to Highway 380 (North), Highway 78 and Garland Road (East), Northwest Highway (South), and Interstate 35 to Old Denton Road (East)."

Under Rule 197.3, Texas Administrative Code, the EMS Medical Director is responsible for and has discretion in determining and establishing the protocols for the transport of patients within a municipality. It is within the medical director's scope of authority to develop, implement, and revise the transport protocols as necessary. Under the direction of Dr. Mark Gamber, EMS Medical Director, the Plano Fire Department has established protocols that determine where to transport patients in a wide range of emergency and medical situations.

Therefore, the Plano Fire Department recommends deleting Subsection (b) of City Ordinance Section 8-3, which would remove geographic boundaries as a consideration for determining ambulance transport destination. This would give the PFD and EMS Medical Director the latitude and flexibility to periodically revise the Department's patient transport guidelines to reflect the addition or reduction of medical/surgical services available at medical facilities in the Plano area

Secondly, the Fire Department recommends that current Subsection (a) under Section 8-3 also be removed. It has been determined that the policy for the Fire Department to respond to emergency ambulance calls only is more appropriately placed within an internal Fire Department policy and not a City Ordinance.

Please feel free to contact me if you have any questions or need further information.

An Ordinance of the City of Plano, Texas, amending Section 8-3 of Article I of Chapter 8, Fire Prevention and Protection, of the Code of Ordinances of the City of Plano, Texas, to delete provisions involving the City's policy to respond to emergency ambulance calls and the boundaries for transporting patients for medical care, and providing a repealer clause, a savings clause, a severability clause, and an effective date.

WHEREAS, on September 22, 2008, the City Council of the City of Plano duly passed Ordinance No. 2008-9-33 establishing that the Fire Department must respond to emergency ambulance calls and must transport patients to hospitals within certain geographic areas for emergency care and such Ordinance was codified as Section 8-3 of Chapter 8, Fire Prevention and Protection, of the Code of Ordinances of the City of Plano; and

WHEREAS, staff recommends deleting Section 8-3(a) of Chapter 8 involving the Department's policy to respond to emergency ambulance calls because it is superfluous and unnecessary to include in an Ordinance; and

WHEREAS, staff also recommends deleting Section 8-3(b) of Chapter 8 which provides the geographic areas for transporting patients as it is no longer valid because new facilities have developed outside the specified geographic areas, and, depending on the specialty of care that is required, patients may be transported to the new facilities; and

WHEREAS, the City Council of the City of Plano, after consideration of the recommendations of staff and all matters attendant and related thereto, is of the opinion that the recommended deletions are necessary and should be approved and adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Section 8-3 of Article I, Chapter 8, Fire Prevention and Protection, of the City of Plano Code of Ordinances is hereby amended to read as follows:

"Sec. 8-3. - City Ambulance Service.

- (a) The following user fees are hereby approved, adopted, and levied and shall be paid by those individuals and/or organizations making use of the City's Fire Department ambulance service:

The basic fee for medical care rendered is six hundred dollars (\$600), plus a fifty dollar (\$50) medication administration fee per City resident per incident and seven hundred dollars (\$700), plus a fifty dollar (\$50) medication administration fee per non-resident per incident, plus, in both cases, a transportation fee of ten dollars (\$10) per mile from the incident location to the medical facility.

- (b) The following user fees are hereby approved, adopted, and levied and shall be paid by those individuals and/or organizations making use of the City's Fire Department ambulance service for EMS standby at special events:

The fee schedule for EMS special events will be as follows:

1. EMS Cart + two (2) Paramedics @ \$90 per hour
2. EMS Cart + Bike Medics + four (4) Paramedics @ \$171 per hour

3. MICU* + two (2) Paramedics @ \$275 per hour
4. MICU* + EMS Cart + four (4) Paramedics @ \$365 per hour
5. MICU* + EMS Cart + Bike Medics + six (6) Paramedics @ \$446 per hour

*The City's Fire Department Mobile Intensive Care Units (MICU) are subject to vehicle availability. Patients transported to the hospital will be billed at the established rate.

The user fees established above shall be collected by the Accounting Department, and upon receipt thereof, shall be credited to the general fund as an offset to the cost of providing the Fire Department service for which the fee is being charged.”

Section II. All provisions of the Ordinances of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section III. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provision of any Ordinances at the time of passage of this Ordinance.

Section IV. It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision, or portion of this Ordinance shall not affect the validity or unconstitutionality of any other portion of this Ordinance.

Section V. This Ordinance shall become effective immediately upon its passage and publication as provided by law.

DULY PASSED AND APPROVED this the 10th day of October, 2011.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY