

ORDINANCE 2021-12

AN ORDINANCE TO MODIFY CHAPTER 6, FIRE PREVENTION AND PROTECTION OF THE IRONDALE MUNICIPAL CODE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRONDALE, ALABAMA, in regular meeting duly assembled, a quorum being present, and by authority thereof as follows:

Section 1. MODIFICATION OF CHAPTER 6, FIRE PREVENTION AND PROTECTION.

Chapter 6 of the Irondale Municipal Code is hereby amended by adding the following to this chapter:

Sec. 6-6. – Emergency Transport Services

- (a) **Definitions.** The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section.

Advanced life support (ALS). The use of equipment and procedures by EMT-paramedics, EMT Advanced, and EMT-intermediates, authorized by the Alabama Department of Public Health Office of EMS and Trauma ("ADPH/OEMST") for Advanced Cardiac Life Support and Advanced Trauma Life Support.

Ambulance. Any motor vehicle constructed, arranged, equipped or used for the purpose of transporting ill, sick, or injured individuals or individuals in need of or requesting medical attention and licensed by the ADPH/OEMST.

Basic life support (BLS). The use of equipment and procedures recognized by the ADPH/OEMST as being within the scope of practice of an EMT-basic.

City. All areas within the corporate limits and the police jurisdiction of the City of Irondale, Alabama.

City council. The City Council of the City of Irondale, Alabama.

Emergency. Any non-hospital occurrence or situation involving illness, injury, or disability requiring immediate medical services, wherein delay in the provision of such services is likely to aggravate the condition and endanger personal health/safety.

Fire chief. The chief of the fire and emergency medical service department of the City of Irondale, Alabama or duly authorized representative.

Fire department dispatch center. The central communications center from which all E-911 dispatches originate for the City of Irondale.

Fire/rescue transport vehicle. Any motor vehicle operated by the Irondale Fire Department that meets the criteria for advanced life support/emergency transport vehicle pursuant to the rules and regulations of the Alabama Office of EMS (OEMS).

Non-emergency. Any non-hospital occurrence or situation where immediate medical services are not required, wherein delay in the provision of such services is not likely to aggravate the condition and endanger personal health/safety. For the purposes of this section, the following are non-emergency responses: inter-hospital transfers, discharges to home, visits to physicians' offices, and the transport of the deceased patients to funeral homes.

(b) Primary provider of ALS patient transport; medical emergency patient transport; transport fee.

1. ALS patient transport. Irondale Emergency Medical Service shall be the primary provider of medical transport for all ALS patients in emergency situations.
2. Medical emergency patient transport. Irondale Emergency Medical Service personnel on the scene of a medical emergency will recommend the transport of a patient based upon medical necessity and the availability of the level of care required by the patient at a hospital. A patient has the right to refuse treatment and/or all medical attention by Irondale Emergency Medical Service unless otherwise provided by applicable EMS rules, protocols and guidelines issued by the OEMS. A patient also has the right to decline transport by the Irondale Emergency Medical Service and may request transport by a private ambulance service. Those patients requesting transport by a private ambulance service may request transport by a private ambulance service licensed by the ADPH/OEMST and by the City of Irondale.
3. Transport fee. The following transport fees shall be collected by the Irondale Fire Department for transportation provided to patients by the Irondale Fire Department transport units.

BLS Fee - \$540.18 base rate plus an amount equal to \$11.70 per mile traveled in transport of patient to hospital.

ALS Fee - \$641.47 base rate plus an amount equal to \$11.70 per mile traveled in transport of patient to hospital.

ALS Level II Fee - \$928.43 base rate plus an amount equal to \$11.70 per mile traveled in transport of patient to hospital.

Consumables – global to base rate

O2 – global to base rate

Note: At the beginning of each calendar year, the base rates and the mileage rates will be amended to reflect any increase in the United States Department of Labor, Bureau of Labor Statistics, "Consumer Price Index for all Urban Consumers - South Urban Region." The final index for the prior calendar year ending December will be the base for any amendments to the amount of the transport fees and the mileage rates.

4. Provision of treatment without regard to patient's ability to pay. Irondale Fire Department shall not refuse transport of any patient requiring ALS/emergency treatment to a hospital listed in Section 6-6(b)5 and shall provide emergency medical treatment and transportation without regard to the patient's ability to pay as per Alabama Department of Public Health Emergency Medical Services Rules.
5. Emergency Departments. Unless otherwise provided in this section, Irondale Emergency Medical Service will only transport patients to the following emergency departments:
 - a. Brookwood Medical Center;
 - b. Brookwood 119 Freestanding Emergency Department;
 - c. Baptist Medical Center - Princeton;
 - d. Trinity Grandview Medical Center;
 - e. UAB Medical West Hoover Freestanding Emergency Department;
 - f. UAB Gardendale Freestanding Emergency Department;
 - g. Children's Hospital – Birmingham;
 - h. UAB Birmingham Medical Center;
 - i. Eye Foundation Hospital;
 - j. UAB Highlands Medical Center;
 - k. Ascension St. Vincent's East;
 - l. Ascension St. Vincent's Birmingham;
 - m. Veteran's Hospital;
 - n. UAB Women's and Infant's Center; and
 - o. St. Vincent's St. Clair

The fire chief or designee may order that patients be transported to other emergency departments not listed herein in the event of a natural disaster or where emergency department circumstances dictate.

- (c) Non-emergency patient transport. In order to provide maximum emergency medical transport coverage for the citizens of the city, the fire department dispatch center will dispatch a private service provider for all patients needing non-emergency transport. The fire department dispatch center shall inform individuals who request non-emergency transport when calling 911 that a private ambulance service will be dispatched to transport them. The private service provider shall be responsible for the billing and collection of fees from transported patients. The City of Irondale will not compensate the private service provider for ambulance transportation services rendered to patients.

- (d) Duty of the fire chief. It shall be the duty and responsibility of the fire chief or his designee to:
1. Administer the provisions of this article;
 2. Investigate or cause his designee to investigate all complaints involving any type of ambulance service within the city and take and/or recommend appropriate action where necessary; and
 3. To recommend revisions of the provisions of this article as needed to the city council.
- (e) Disposition of the deceased. Transport of individuals that are obviously dead, where the death is not of a suspicious nature and not under investigation by any law enforcement agency, shall be the responsibility of the family of the deceased. Arrangements may be made with a private ambulance service or funeral home for transport. Where family of the deceased cannot be located, the transport of the body shall be coordinated with the appropriate county medical examiner's office. Transport of deceased individuals where the deaths are being investigated by a local law enforcement agency shall be the responsibility of that agency.

Section 2. ORDINANCES REPEALED. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. SEVERABILITY. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Irondale hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. LEGAL RIGHTS NOT IMPAIRED. That nothing in this ordinance or in the municipal code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. ORDINANCE CUMULATIVE; COMPATIBILITY WITH OTHER REGULATIONS. This ordinance shall not be construed to modify or to repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to and cumulative to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

Section 6. PUBLICATION OF ORDINANCE. That the City Clerk of the City of Irondale is hereby ordered and directed to cause this ordinance to be published and that a copy of this ordinance be entered upon the minutes of the meeting of the City Council.

Section 7. EFFECTIVE DATE OF ORDINANCE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall be in full force and effect upon adoption and shall continue in full force and effect from month to month and year to year from its effective date until repealed.

ADOPTED & APPROVED: This the 7th day of July, 2021.

David Spivey, City Council President

APPROVED:

James D. Stewart, Jr., Mayor

ATTESTED:

Lu Jackson, City Clerk

CERTIFICATION

I, Lu Jackson, City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Irondale at its regular meeting held on July 7, 2021, as same appears in the minutes of record of said meeting.

Lu Jackson, City Clerk