

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

**AN ORDINANCE**

**ESTABLISHING TWO NEW EMERGENCY MEDICAL SERVICE FEES THAT WILL ALLOW THE SAN ANTONIO FIRE DEPARTMENT TO CHARGE THE MEDICARE ALLOWABLE FEE FOR PATIENTS WHO UILIZE EITHER THE TELEMEDICINE OPTON OR THE TREATMENT IN PLACE OPTION OF THE EMERGENCY TRIAGE, TREAT AND TRANSPORT MODEL (ET3) PROGRAM; AND AMENDING THE CITY CODE OF SAN ANTONIO, TEXAS (CITY CODE) TO INCLUDE THE NEW FEES.**

\* \* \* \* \*

**WHEREAS**, Ordinance No. 2020-12-10-0876, passed and approved on December 10, 2020, approved and authorized an Emergency Triage, Treat and Transport Model Participation Agreement (the “Agreement”) between Centers For Medicare & Medicaid Services ("CMS") and the San Antonio Fire Department (“SAFD”); and

**WHEREAS**, the Agreement creates the CMS ET3 Program (the “Program”), one purpose of which is to offer Medicare Fee for Service (FFS) beneficiaries extended services in an effort to match the patient with the correct level of care; and

**WHEREAS**, the Program allows the Fire Department to transport less emergent patients to urgent care centers versus the hospital emergency department, and also allows the Fire Department to originate a telemedicine visit for those patients that need medications or a higher level of medical advice, but do not need treatment in a hospital; and

**WHEREAS**, SAFD has been working with urgent care partners, UT Health and STRAC, to make the services offered under the Program available to the City’s senior citizens who are Medicare FFS beneficiaries; and

**WHEREAS**, pursuant to the Agreement, compensation is available to SAFD for the services provided under the Program, but in order for SAFD to receive that compensation, it is necessary for the City to establish two new Emergency Medical Services (“EMS”) fees; and

**WHEREAS**, the two new fees to be established are a BLS Origination Fee of \$370.00 and an ALS Origination Fee of \$450.00; and

**WHEREAS**, the establishment of these fees will enable SAFD to receive compensation for the services described above that it has provided, which will provide funding to permit SAFD to continue to offer services under the Program; and

**WHEREAS**, SAFD has recommended that City Council approve the establishment of these two new fees; and

**WHEREAS**, following consideration of and deliberations on the recommendation, the City Council finds and determines that it be accepted and that the two new fees should be established; **NOW, THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Two new Emergency Medical Services Fees are hereby established, as follows:

- A. A BLS Origination Fee in the amount of \$370.00; and
- B. An ALS Origination Fee in the amount of \$450.00.

**SECTION 2.** Chapter 15, Article I, Section 15-3 of the City Code is hereby amended to add subsection (e), which shall read in its entirety as follows:

- “(e) (1) The amount of a BLS Origination Fee is three hundred seventy dollars (\$370.00).
- (2) The amount of a n ALS Origination Fee is four hundred fifty dollars.”

**SECTION 3.** All other provisions of the City Code shall remain in full force and effect, unless expressly amended by other provisions of this Ordinance.

**SECTION 4.** The publisher of the City Code is hereby authorized to revise the City Code to reflect the establishment and codification of the new fees pursuant to Sections 1 and 2; to correct typographical errors where necessary; and to format and number paragraphs to conform to the existing City Code.

**SECTION 5.** It is officially found, determined and declared, as a matter of legislative finding, that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place and subject matter of public business to be considered at such meeting, including consideration and adoption of this Ordinance, was appropriately given, all as required by law, including the Texas Government Code, Chapter 551.

**SECTION 6.** This ordinance shall take effect immediately if passed by eight (8) affirmative votes; otherwise this ordinance shall take effect ten (10) days from the date of passage hereof.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Tina J. Flores City Clerk**

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**Andrew Segovia, City Attorney**