

Emergency and Non-Emergency Ambulance Services  
Ordinance Revision Requested  
Explanation of Request

Amendments to the ordinance regulating Emergency and Non-Emergency Ambulance Services, of the Code of Ordinances for the City of Texas City. (Fire Department)

Section 1: To update information contained in the Code:

- A. City Prosecutor has requested a amendment to the ordinance to better define Patient Drop-Off and Patient Pick-up of a patient to better clarify the meaning and interpretation of the City's intent:

Sec. 35.02       DEFINITIONS.

PATIENT DROP-OFF. The act of unloading a stretcher bound patient from the back of the ambulance and moving patient into a hospital or other place for medical attention.

PATIENT PICK-UP. The act of loading a stretcher bound patient into the back of an ambulance providing transport/transfer from a hospital or other place that medical care was obtained or requested.

TRANSFER/TRANSPORT. Movement, in a transfer vehicle, of pre-scheduled non-emergency patients from place to place.

Sec. 35.03       PERSONS AND AGENCIES AUTHORIZED TO FURNISH AMBULANCE SERVICE.

(A) Except as may otherwise be provided for in this subchapter, it shall be unlawful for any person to operate, conduct, maintain or otherwise engage in the furnishing of an emergency ambulance service or non-emergency ambulance service within the limits of the City. This includes the drop off of a patient at a hospital or other place for medical attention inside the City with the intention to pick up the same patient for transport back out from the City.

- B. HCA Houston Healthcare Mainland hospital Chief Executive Director as requested language that would enable ambulances owned/leased by the hospital to perform inter-facility transfers of critically sick or injured patients within the HCA network utilizing hospital staff for patient care to better facilitate the transfers and improve patient care/outcome. This language may also effect, or enhance the services of, other hospitals, such as UTMB, that operate in Texas City

Sec. 35.03 PERSONS AND AGENCIES AUTHORIZED TO FURNISH AMBULANCE SERVICE.

(B) The provisions of division (A) above shall not apply to the following:

(7) Any vehicle that is owned/leased and operated with hospital staff providing patient care from a hospital site including free-standing emergency room within the City and used for the transport of a critically sick or injured patient to a higher level of care at another hospital that is owned and operated under the same name as the transferring hospital or free-standing emergency room; provided, however, the vehicle is not available for hire or use by the general public. This subsection shall not be construed as permitted by the City to perform patient pickup or operate in the City for any other purpose.

Sec. 35.09 REPORTS; AUDITS.

(C) Any hospital site including a free-standing emergency room operating under Section 35.03(B)7 shall submit a monthly response summary for all activities in the City to the Permit Officer.

- C. The Fire Chief requests to address concerns received from health care facilities within the community that a permit holder may not be providing services to them. It has always been the intent of the City that the needs of the citizenry are met by the adoption of the ordinance and this language change is meant to clarify the City's position and intent of the language within the ordinance related to health care facilities.

Sec. 35.04 OPERATION OF VEHICLES; RESPONSE REQUIREMENTS.

(C) Response requirements. The holder of a non-emergency transfer permit shall not deny timely response, treatment or transportation to an appropriate medical facility to anyone or any facility in the City due to age, sex, race, religion, ethnicity, medical condition or ~~the patient's based on an actual or perceived ability or inability to pay for services rendered pursuant to the permit.~~ In addition, the holder of a non-emergency transfer permit shall make available to the city, upon the ~~city's~~ City's request, ambulances and personnel necessary for standby and assistance during emergencies occurring in the ~~city~~ City...

- D. The Fire Chief requests to:

1. Identify the minimum number of permitted ambulances a permit holder must maintain to ensure a suitable number are available to service the needs of the citizenry.
2. Make clear that if a permitted service "passes" seven times with the permit year and is automatically suspended and that action is non-appealable.

3. By identifying the minimum number of permitted ambulances as six (6); the ordinance language concerning a permit holder only permitting one ambulance suffering mechanical failure becomes mute.

Sec. 35.12      AMBULANCE VEHICLE PERMIT.

(C) Each permit holder shall maintain a minimum of six (6) permitted ambulances.

Sec. 35.18      SUSPENSION OR REVOCATION PROCEDURES.

~~(B)(1) After a permit holder "passes" seven times during a permit year, their permit will be automatically suspended for the remainder of the year, without appeal.~~ with no right to appeal.

~~(2) If a permit holder has only one vehicle and that vehicle has a mechanical failure and that owner notifies both the Fire Department Permit Officer and dispatch center of that mechanical failure, the permit holder will be removed from the city City rotation list for the reasonable amount of time necessary for the permit holder to perform the repairs.~~

~~(3) The owner must show proof of such mechanical failure in writing (repair bill) to the Fire Department Permit Officer before they are placed back on rotation.~~

~~(4) This must be presented between Monday through Friday from 8:00 a.m. to 5:00 p.m.~~

~~(5) Once placed back on rotation, the permit holder will be placed at the bottom of the list.~~

- E. The current ordinance does not permit mid-year replacement of an permit in the event a permit is surrendered or revoked. This proposed language would enable the permit officer to fill a vacated permit during the year in place of the requirement to wait until the end of the permit year. This language is intended to ensure that an appropriate number of transfer ambulances are available throughout the year in order to provide an acceptable level of service.

We are not prorating a mid-year replacement because all the paperwork must be reviewed and the ambulances must be inspected. Therefore, the same amount of time is required to review and approve the permit regardless of when the permit process is started.

Sec. 35.13      ISSUANCE AND RENEWAL OF PERMITS.

(C) In the event of a vacancy during the permit period, the permit officer shall be authorized to issue a permit for the remainder of the year to another provider by

advertisement for a two (2) week period and should more companies apply for the permit vacancy than available a lottery drawing shall be implemented.

Sec. 35.14 PERMIT FEES.

(A) The fees for permits required by this subchapter shall be as follows and shall not be prorated:

- (1) Ambulance vehicle permit: \$100.00 per vehicle; and
- (2) Ambulance service permit: \$500.00.

*Section 2: A need to correct Scrivener's errors:*

These changes are primarily to correct misspelled words or correct capitalization errors through the ordinance. Example: city to City

Should you have any additional questions or require additional information please contact the Fire Chief at your earliest convenience.

Thanks !

David B. Zacherl  
Fire Chief  
(Electronically Signed)