

THE STATE OF TEXAS §

COUNTY OF WILLIAMSON §

**SECOND AMENDMENT
FOR BILLING AND ACCOUNTS
RECEIVABLE SERVICES AGREEMENT
(Third Party Billing for EMS Services)**

Important Notice: County Purchase Orders and Agreements constitute expenditures of public funds, and all vendors are hereby placed on notice that such procurement is subject to the extent authorized by Texas law, including but not limited to Tex. Const. art. XI, § 7, the Texas Government Code, the Texas Local Government Code, the Texas Transportation Code, the Texas Health & Safety Code, and Opinions of the Texas Attorney General relevant to local governmental entities.

THIS CONTRACT is made and entered into by and between **Williamson County, Texas** ("The County" or Williamson County EMS"), a political subdivision of the State of Texas, acting herein by and through its governing body, and **DM Medical Billings LLC**, a New Jersey corporation ("Billing Service Provider"). Williamson County EMS agrees to engage Billing Service Provider, with the administrative and technical support of Billing Service Provider as independent contractors, to assist in providing certain operational services pursuant to the following terms, conditions, and restrictions:

I.

Incorporated Documents: This Agreement constitutes the entire Agreement between the parties and may not be modified or amended other than by a written instrument executed by all parties. Documents expressly incorporated (as if copied in full) into this Agreement include the following:

- A. Original Billing and Accounts Receivable Agreement;
- B. First Amendment to Billing and Accounts Receivable Agreement;
- C. This Second Amendment to Billing and Accounts Receivable Agreement.

II.

No Waiver of Sovereign Immunity or Powers: Nothing in the contract relevant to this addendum will be deemed to constitute a waiver of sovereign immunity or powers of Williamson County EMS, the Williamson County Commissioners Court, or the Williamson County Judge.

III.

COVID-19 Reimbursements: Billing Service Provider expressly agrees that the reimbursement for the Coronavirus Aid, Relief, and Economic Security Act (H.R. 748) (hereinafter "CARES Act") COVID-19 patient's disallowed insurance amounts, which may not be pursued by the Billing Service Provider attempting to collect from the patient, shall be "paid" via the Tranche 1 funding of the CARES Act. When the Billing Service Provider offsets COVID-19 patient's disallowed amounts against funds received, they will be reimbursed at the current contracted rate less a 40% bad-debt allowance or 3.45%. These credits will be applied via a new county approved credit code for ease of audit compliance and reconciliation. Should any additional future funding infusions, such as Tranche 2 or other as yet unidentified resources, be used to offset patient balances against a lump disbursement; those receipts shall also be credited and billed to the county at 3.45%. The methodology shall be as follows:

IV.

Good Faith: Billing Service Provider and Billing Service Provider expressly agree to act in good faith in the performance of the contract relevant to this addendum.

V.

In all other respects, the Agreement is reaffirmed.

VI.

County Judge or Presiding Officer Authorized to Sign Agreement: The presiding officer of Williamson County EMS's governing body who is authorized to execute this instrument by order duly recorded may execute this addendum on behalf of Williamson County EMS.

WITNESS the signatures of all parties in duplicate originals to be effective as of the date of the last party's execution below.

WILLIAMSON COUNTY:

Judge Bill Gravell Jr.
Judge Bill Gravell Jr. (May 19, 2020 14:35 CDT)

Authorized Signature

Date: May 19, 2020, 2020

BILLING SERVICE PROVIDER:

[Signature]
Authorized Signature
Date: May 19th, 2020









Agenda Item #22 5-19-2020 (EMS Billing Amendment)

Final Audit Report

2020-05-19

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