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ORDINANCE NO. 4478

An ordinance of San Bernardino County, State of California, to amend Section 31.0820 of Chapter 8 of Division 1 of Title 3 of the San Bernardino County Code relating to the establishment and annual adjustment of ambulance service rates through the Local Emergency Medical Services Agency ambulance rate setting policy for San Bernardino County.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Effective September 19, 2024, Section 31.0820 of the San Bernardino County Code is amended, to read:

Section 31.0820 Ambulance Rates.

(a) *Ambulance Rates.* The schedule of maximum rates that may be charged for ambulance service shall be established and published by the Local Emergency Medical Services Agency ("LEMSA") in the Inland Counties Emergency Medical Agency ("ICEMA") Ground Based Ambulance Rate Setting Policy for San Bernardino County ("ICEMA Policy", which is currently No. 3060 as initially approved by the ICEMA Board of Directors) and as adjusted on an annual basis thereafter by the Emergency Medical Services ("EMS") Administrator as provided in this Section and ICEMA Policy, or as otherwise approved by the ICEMA Board of Directors.

(b) *Rate Adjustment.* The current maximum rates shall be adjusted by the LEMSAs through its rate setting policies referred to above in an amount necessary to properly compensate ambulance providers for changes (increases or decreases) in their reasonable costs based on the change in the Consumer Price Index (CPI), the Annual Rate Comparison Study, or the Mileage Charge Rate Adjustments, as set forth within the ICEMA Policy formulas. The LEMSAs EMS Administrator shall be responsible for calculating the rate adjustments according to the ICEMA Policy rate adjustment procedure.

1 (1) The rate adjustments shall be calculated by April 15 of each year. The
2 CPI adjustment shall be effective as of the first day of July of each year.

3 (2) In addition to, and not in lieu of, annual adjustments stated above, rate
4 increases or decreases in an amount equal to the ambulance providers' extraordinary
5 increases or decreases in their cost of operations may also be granted by the ICEMA
6 Board of Directors. The LEMSA EMS Administrator shall determine the application
7 process for such extraordinary cost increases or decreases. Such extraordinary cost
8 increases or decreases shall be subject to ICEMA Board of Directors' approval.

9 (3) The LEMSA EMS Administrator at the time of any request for an
10 extraordinary adjustment under Subdivision (2) above, may request an audit of books
11 and records of an authorized EMS provider for the purpose of verifying revenue and
12 cost data specifically associated with the extraordinary rate increase request. Such an
13 audit shall be carried out by a person selected by the provider and approved by the
14 EMS Administrator. If the EMS Administrator and provider cannot agree on a person to
15 perform the audit, the audit shall be carried out by a Certified Public Accountant
16 selected by the EMS Administrator. If there is any charge, cost or fee for such an audit,
17 it shall be paid by the provider. The EMS Administrator may deny any extraordinary
18 adjustment if an audit is requested and not performed and provided to the EMS
19 Administrator. Every audit shall be done within a reasonable period of time under the
20 circumstances, but not to exceed 90 days from the selection and appointment of the
21 auditor, unless provider has delayed or not reasonably cooperated with the audit
22 process which will result in the denial of the adjustment request.

23 (4) Rate adjustments greater than what is allowable under ICEMA Policy are
24 subject to ICEMA Board of Directors' approval.

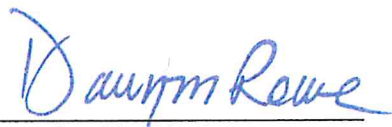
25 (c) *Collection of Fees Prior to Delivery of Services.* Under no circumstances shall
26 ambulance personnel dispatched on a Code 3 call attempt to collect for services
27 provided prior to the delivery of the patient at an appropriate medical facility.

28 (d) *Rates Applicable to All Ambulance Providers.* At the direction of the LEMSA,

1 and when authorized pursuant to the local EMS Plan, the ambulance rates established
2 under this Section shall apply to all providers of ambulance services which are subject
3 to the regulatory authority of the LEMSA and the EMS Plan.

4 (e) Nothing in this Section 31.0820 shall be construed to opine on what amount is
5 an appropriate rate, cost or expense a provider may charge. This Section only sets the
6 maximum rates that may be charged by a provider for ambulance service.

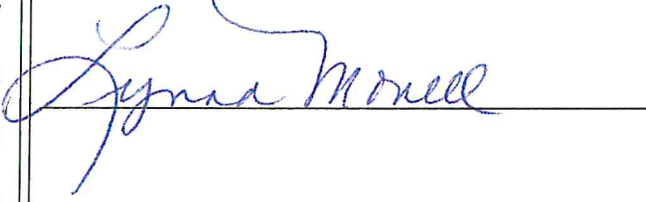
7 SECTION 2. This ordinance shall take effect thirty (30) days from the date of its
8 adoption.

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11 DAWN ROWE, Chair
12 Board of Supervisors

13 SIGNED AND CERTIFIED THAT A COPY
14 OF THIS DOCUMENT HAS BEEN DELIVERED
15 TO THE CHAIRMAN OF THE BOARD

16 LYNNA MONELL, Clerk of the
17 Board of Supervisors

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1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of San Bernardino
5 County, State of California, hereby certify that at a regular meeting of the Board of
6 Supervisors of said County and State, held on the 20th day of August, 2024, at which
7 meeting were present Supervisors: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn
8 Rowe, Curt Hagman, Joe Baca, Jr., and the Clerk, the foregoing ordinance was passed
9 and adopted by the following vote,
10 to wit:

11 AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez,
12 Dawn Rowe, Curt Hagman, Joe Baca, Jr.

13 NOES: SUPERVISORS: None

14 ABSENT: SUPERVISORS: None

15 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
16 seal of the Board of Supervisors this 20th day of August, 2024.

17 LYNNA MONELL, Clerk of the
18 Board of Supervisors of
19 San Bernardino County,
20 State of California

21 
22 Deputy
23 

24 APPROVED AS TO FORM:

25 TOM BUNTON
26 County Counsel

27 By: 
28 JOLENA E. GRIDER
Deputy County Counsel

Date: 8/21/24