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ORDINANCE NO. _____

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.~~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 ambulance rates.~~

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.

~~No ambulance service shall charge more than the following rates:~~

~~—(a) One Patient. The schedule of maximum rates that may be charged for ambulance service for one patient shall be as initially set by resolution adopted by the Board of Supervisors, and as adjusted thereafter as provided in this Chapter.~~

~~—(b) Rates for Multiple Loads.~~

~~—(1) Each additional stretcher or Gurney patient carried at the same time may be charged the full base rate for response to the call and half the mileage rate.~~

~~—(2) Each additional sit-up patient shall be charged half the base rate for response to the call and half the mileage rate.~~

~~—(3) This Section does not apply to contractual agreements.~~

~~—(c) No Charge Transports. No charge shall be made for transporting uninjured or well persons who accompany a patient.~~

~~—(d) Computation of Rates. All rates are to be computed from the time the ambulance arrives for hire until the ambulance delivers the patient to the appropriate destination,~~

1 ~~and is discharged by the patient or his or her representative, attending physician, or~~
2 ~~emergency receiving facility.~~

3 ~~—(e) Fees for Service, Supplies, and Equipment. When a ground ambulance has~~
4 ~~been dispatched and ambulance personnel and/or equipment are directly involved with~~
5 ~~patient care even though a helicopter transports, then the ambulance service shall be~~
6 ~~entitled to charge an appropriate fee for its service, supplies and equipment.~~

7 ~~—(f) Rate Adjustment. The current rates shall be adjusted in an amount necessary to~~
8 ~~properly compensate ambulance providers for changes (increases or decreases) in~~
9 ~~their direct and indirect costs based on the change in the Consumer Price Index (CPI)~~
10 ~~as set forth herein. The adjustments shall be made on July 1 of each year based upon~~
11 ~~the change in the CPI from January 1 of the proceeding year to January 1 of the~~
12 ~~adjustment year. The first rate adjustment shall be made effective July 1, 2005 based~~
13 ~~on the change of CPI from January 1, 2004, to January 1, 2005. The CPI adjustment~~
14 ~~shall be determined by multiplying the base amounts by the average of the percentage~~
15 ~~changes of the transportation portion and of the medical portion of the CPI for All Urban~~
16 ~~Consumers, Western Region, Los Angeles, Riverside, Orange Counties, California, as~~
17 ~~compiled and reported by the Bureau of Labor Statistics for the 12-month period up to~~
18 ~~January 1 of the adjustment year. The Health Officer shall be responsible for~~
19 ~~calculating the rate adjustments. Yearly CPI adjustments shall not exceed five percent~~
20 ~~for any single year.~~

21 ~~—(1) The CPI adjustment shall be calculated by April 15 of each year. The CPI~~
22 ~~adjustment shall be effective as of the first day of July of each year.~~

23 ~~—(2) If the selected CPI is discontinued or revised, such other government index or~~
24 ~~computation with which it is replaced shall be used in order to obtain substantially the~~
25 ~~same result as would be obtained if the CPI had not been discontinued or revised.~~

26 ~~—(3) In addition to, and not in lieu of, annual CPI adjustments, rate increases or~~
27 ~~decreases in an amount equal to the ambulance providers' extraordinary increases or~~
28 ~~decreases in their cost of operations may also be granted. The Health Officer shall~~

1 ~~determine the application process for such extraordinary cost increases or decreases.~~
2 ~~Such extraordinary cost increases or decreases shall be subject to Board approval.~~
3 ~~Any rate adjustment due to extraordinary circumstances shall be effective ten days~~
4 ~~after having been published in a newspaper of general circulation within the effective~~
5 ~~service area, once a week for two weeks. This procedure may also be used to obtain~~
6 ~~rate adjustments due to changes in the CPI that are greater than the five percent cap~~
7 ~~under the yearly CPI adjustment, above.~~

8 ~~—(4) The County Health Officer at the time of any extraordinary adjustment under~~
9 ~~Subdivision (3) above, may request an audit of books and records of a permittee for the~~
10 ~~purpose of verifying revenue and cost data specifically associated with the~~
11 ~~extraordinary rate increase request. Such an audit shall be carried out by a person~~
12 ~~selected by the permittee and approved by the Health Officer. If the County Health~~
13 ~~Officer and permittee cannot agree on a person to perform the audit, then the audit~~
14 ~~shall be carried out by a Certified Public Accountant selected by the County Health~~
15 ~~Officer. If there is any charge, cost or fee for such an audit, such shall be paid by the~~
16 ~~permittee. The County Health Officer may deny any adjustment if an audit is requested~~
17 ~~and not produced. Every audit shall be done promptly, and within 30 days of the time it~~
18 ~~is requested so that there should be no undue delay.~~

19 ~~—(g) Collection of Fees Prior to Delivery of Services. Under no circumstances shall~~
20 ~~ambulance personnel dispatched on a Code 3 call attempt to collect for services~~
21 ~~provided prior to the delivery of the patient at an appropriate medical facility. In~~
22 ~~situations where the patient is not transported, the ambulance provider may not charge~~
23 ~~the patient for services rendered.~~

24 ~~—(h) Rates Applicable to All Ambulance Providers. At the direction of ICEMA, and~~
25 ~~when authorized pursuant to the local EOA Plan, the ambulance rates established~~
26 ~~under this Section shall apply to all providers of ambulance services which are subject~~
27 ~~to the regulatory authority of ICEMA.~~

28 ~~—(i) Under no circumstances shall ambulance personnel dispatched on a Code 3 call~~

1 ~~attempt to collect for the service prior to the delivery of the patient at an appropriate~~
2 ~~medical facility.~~

3 ~~—(j) At the direction of the local Emergency Medical Services (“EMS”) Agency, and~~
4 ~~when authorized pursuant to the local EMS Plan, the ambulance rates established~~
5 ~~under this Section shall apply to all providers of ambulance services which are subject~~
6 ~~to the regulatory authority of the EMS Plan.~~

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

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

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

25 (2) In addition to, and not in lieu of, annual adjustments stated above, rate
26 increases or decreases in an amount equal to the ambulance providers' extraordinary
27 increases or decreases in their cost of operations may also be granted by the ICEMA
28 Board of Directors. The LEMSA EMS Administrator shall determine the application

1 process for such extraordinary cost increases or decreases. Such extraordinary cost
2 increases or decreases shall be subject to ICEMA Board of Directors' approval.

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

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

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

22 (d) *Rates Applicable to All Ambulance Providers.* At the direction of the LEMSA,
23 and when authorized pursuant to the local EMS Plan, the ambulance rates established
24 under this Section shall apply to all providers of ambulance services which are subject
25 to the regulatory authority of the LEMSA and the EMS Plan.

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

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

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DAWN ROWE, Chair
Board of Supervisors

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

LYNNA MONELL, Clerk of the
Board of Supervisors

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

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 ____ day of _____, 2024, at
7 which meeting were present Supervisors: _____

8 and the Clerk, the foregoing ordinance was passed and adopted by the following vote,
9 to wit:

10 AYES: SUPERVISORS:

11 NOES: SUPERVISORS:

12 ABSENT: SUPERVISORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
14 seal of the Board of Supervisors this ____ day of _____, 2024.

15 LYNNA MONELL, Clerk of the
16 Board of Supervisors of
17 San Bernardino County,
18 State of California

19 _____
20 Deputy

21 APPROVED AS TO FORM:

22 TOM BUNTON
23 County Counsel

24 By: _____
25 JOLENA E. GRIDER
26 Deputy County Counsel

27 Date: _____

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