



RESOLUTION 24- 006

A RESOLUTION OF THE NORTH COLLIER FIRE CONTROL AND RESCUE DISTRICT ESTABLISHING A SCHEDULE OF FEES RELATED TO EMERGENCY MEDICAL SERVICES FEES FOR NORTH COLLIER FIRE CONTROL AND RESCUE DISTRICT AMBULANCE SERVICES; PROVIDING BILLING AND COLLECTION FEES; PROVIDING FOR ADJUSTMENT OF FEES; PROVIDING FOR PAYMENT PLANS; PROVIDING FOR LIENS, JOINT AND SEVERAL LIABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Collier Fire Control and Rescue District (“District”) is an independent special fire control and rescue district governed by Chapter 2015-191, Laws of Florida, and Chapters 189 and 191, Florida Statutes (“F.S.”), which provides emergency fire prevention, fire protection, and rescue services to an approximately 264-square mile area in Collier County; and

WHEREAS, the Board of Fire Commissioners (“Board”) of the District is responsible for the fire prevention, fire protection, and rescue services within the District in accordance with Chapter 2015-191, Laws of Florida, and Chapters 191 and 633, F.S.; and

WHEREAS, Section 191.008, F.S., authorizes the District to establish and maintain emergency medical and rescue response services and acquire and maintain rescue, medical, and other emergency equipment, pursuant to the provisions of chapter 401 and any certificate of public convenience and necessity or its equivalent issued thereunder; and

WHEREAS, Section 4 of the District’s charter found in section 3 of Chapter 2015-191, Laws of Florida, (“Charter”) authorizes the District to establish and maintain emergency medical and rescue response services consistent with s. 191.008(1), F.S., chapter 401, F.S., and any certificate of public convenience and necessity or its equivalent issued thereunder; and

WHEREAS, Section 191.009(3), F.S., authorizes the Board to provide a reasonable schedule of charges for special emergency services; for fighting fires; for responding to or assisting or mitigating emergencies that either threaten or could threaten the health and safety of persons, property, or the environment, to which the district has been called; and for inspecting structures, plans, and equipment to determine compliance with fire safety codes and standards; and

WHEREAS, Section 6 of the Charter grants the authority to finance the District in accordance with the Charter and Chapters 189 and 191, F.S., including charging user fees; and

WHEREAS, the District has been providing advanced life support (“ALS”) non-transport services within the District boundaries; and

WHEREAS, Collier County Board of County Commissioners revised its ordinance to allow governmental entities to provide ALS transport services upon application; and

WHEREAS, the Board has determined that it is in the best interest of the District to provide ALS transport services and to assess reasonable fees for ALS transport services to offset the costs associated with providing such services; and

WHEREAS, the Board finds that the Schedule of Fees sets forth fair and reasonable sums to be assessed to those who receive the benefits of ALS transport services provided by the District and is reasonably related to the cost of providing such services; and

WHEREAS, the District may execute a contract with a third party (“Billing Consultant,” which includes subsequent third parties contracted to provide billing and collection services but excludes a debt collection agency) to provide billing and collection services for ambulance services and associated fees; and

WHEREAS, this Resolution is intended to apply irrespective of whether the District or a Billing Consultant is responsible for the ALS transport services fees.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THE NORTH COLLIER FIRE CONTROL AND RESCUE DISTRICT AS FOLLOWS:

I. Recitals. The recitals set forth above are true and correct and are hereby incorporated into this Resolution as though specifically stated herein. Any capitalized term used in this Resolution and not otherwise defined shall have the meaning ascribed to such term in the Resolution.

II. Schedule of Fees; General Provisions.

A. **Approval and Adoption of Fees.** The Board approves and adopts the Schedule of Fees, attached hereto as Exhibit A, as those fees charged by the District for performing the services enumerated therein. The Board shall review the Schedule of Fees on an annual basis and will adopt any changes, if needed, by resolution.

B. Reasonableness of Fees. The Schedule of Fees sets forth fair and reasonable sums to be assessed to those who receive the benefits of ALS transport services provided by the District. The sums in the Schedule of Fees are reasonably related to the cost of providing such services.

C. Payment Due. All fees are due and immediately upon request for service. All other fees are payable within thirty (30) days of notice of fees by the District.

D. Medicare and Medicaid Billings. The District or its Billing Consultant shall bill Medicare and Medicaid for eligible ambulance service recipients in accordance with applicable Medicare and Medicaid rules. The District or its Billing Consultant shall accept the assignment of payments as a participating provider in accordance with applicable Medicare and Medicaid rules. Procedures for Medicare and Medicaid billing will be established by the Board or Fire Chief, as designated.

E. Third Party Billing. Third party billing assignment of payments shall be accepted with the unpaid difference, if any, remaining the responsibility of the service recipient or responsible party. Procedures for third party billing will be established by the Fire Chief.

F. Alternative Methods of Payments. The District or Billings Consultant may accept credit card payment for ambulance service(s). Specific credit cards shall be limited to those for which service contracts exist.

G. Implementation. The Fire Chief or his/her designee is authorized to take any and all necessary steps for the implementation of this Resolution and the Schedule of Fees.

H. Failure to Pay and Liability. The failure to pay an invoice within thirty (30) days from the date of notice of fees may result in further legal action such as the imposition of a lien in accordance with Chapter 191, F.S., and any other applicable laws. All collection costs including accrued late fee services, court fees, and reasonable attorney's fees shall be charged.

I. Enforcement. Enforcement of this Resolution and collection of fines, fees, and charges assessed hereunder may be by civil action, criminal prosecution, and/or any manner authorized by law, including filing liens against the protected premises.

III. Billing Collection Procedure.

The following shall be the minimum guidelines for billing and collection procedures for ambulance service fees and charges:

A. Initial fees and charges for ambulance service(s) shall be assessed either prior to or following the provision of service, as service dynamics reasonably allow. Unpaid fees and charges, subsequent to time of service shall be reflected in an accounts receivable subsidiary ledger system to be maintained by the District. The Billing Consultant shall follow all applicable rules and regulations set forth by Centers for Medicare/Medicaid (CMS) that pertain to ambulance billing.

B. District staff will transmit all data necessary to Billing Consultant to process the claim.

1. The Billing Consultant will send an initial bill to the service recipient's or responsible party's insurance carrier as soon as insurance information has been received, validated, and entered by the Billing Consultant on the account.

2. When a valid patient address is present, the Billing Consultant will follow the patient statement cycle outlined below.

i. An initial statement for ambulance services, including the HIPAA notice of privacy practices shall be sent seven (7) or more days after the data is entered by the Billing Consultant, but no later than (30) thirty days after service has been provided.

ii. In the event the service recipient or responsible party does not have or does not provide proof of insurance coverage after three billing cycles (30-day cycles) for a total of (90) ninety days, the account will be sent to the District or if the District has contracted with a collection agency, the contracted collection agency ("Collection Agency").

C. Monthly, the Billing Consultant will provide a file with a list of patients to be sent to collections to the District, or the Collection Agency, if applicable, when all attempts to collect on the account have been exhausted by the Billing Consultant. If there is a Collection Agency, the District may direct the Billing Consultant to not send a patient to collections at any time. Billing Consultant may send a patient to collections prior to exhaustion of all collection efforts when:

1. The patient account has an invalid address.

2. Billing Consultant is directed by the District to send a patient to collections.

D. Interest will be assessed at 1% per month on all accounts that are sent to the Collection Agency. If a time payment plan is established with the Collection Agency, no bureau reporting will occur unless the account goes into default after (60) sixty days of non-payment. Notwithstanding, if there is no Collection Agency, the requirements related to interest and bureau reporting are applicable to accounts that are being collected by the District.

E. A reasonable and customary payment plan will be made available for all service recipients or responsible parties. Should the service recipient or responsible party at the time fail to meet the terms and conditions of the payment plan for a period of (60) sixty days, the unpaid balance shall reenter the collections process set forth in Paragraph C. above at the point in the collections process at which it was taken out for a payment plan to be administered.

F. When ambulance service bill(s), at any stage in this billing and collection procedure, are returned because the Postal Service cannot effectuate delivery, the Billing Consultant shall make reasonable effort to ascertain the correct mailing address. If reasonable efforts to ascertain a correct address fail, the account(s) may be considered for other collection alternatives.

G. Nothing contained in this Section shall preclude reasonable telephone or other appropriate contact for billing and collection purposes, in accordance with all applicable laws.

H. Throughout the fiscal year, the District shall review all past due accounts and report to the Board on an annual basis, of all past due accounts which are believed to be uncollectible as well as the amount of accounts that have been waived.

I. The Board may, after reviewing these past due accounts and after finding that diligent efforts at collection have proven unsuccessful, remove these past due accounts from active accounts receivable in accordance with generally accepted accounting procedures and pursuant to law by Resolution.

J. Should a decedent have an unpaid balance for ambulance services, the following shall occur:

1. The decedent's personal representative or attorney representing the estate will notify the District that a probate estate has been filed with the Probate Court.

2. The District will confirm with the Collier County Clerk of Courts Probate Department that a probate estate has been filed with the Probate Court.

3. The Fire Chief, or designee, shall ensure that a Notice of a Claim is timely filed with the Probate Court.

4. The Fire Chief, or designee, shall ensure that the District's applicable legal counsel is timely notified of such claim and provided with: (1) a copy of ambulance bill(s), (2) all correspondence between the District, Billing Consultant, and Personal Representative, (3) Notice of Claim filed with the Probate Estate, and any other information necessary to pursue the claim.

5. Upon authorization by the District's Fire Chief, the District's applicable legal counsel shall take all reasonable actions that are necessary to pursue such claim, including but not limited, to filing a lawsuit in the County Court to pursue such claim.

6. If the estate has assets and \$10,000 or less is owed for ambulance services, the Fire Chief, or designee, and the applicable District attorney are authorized to take reasonable actions to reach a settlement with the decedent's personal representative or attorney. Should a settlement be reached, the Fire Chief is authorized to execute a satisfaction and/or release on behalf of the District. If the estate has assets and in excess of \$10,000 is owed for ambulance services, any negotiated settlement/compromise of the ambulance billing claim shall be approved by the Board. If the estate has nominal assets or no assets, the Fire Chief, or designee, may waive the rates, fees, and charges as set forth in this Resolution.

K. Notwithstanding any other provision to the contrary, all accounts with a balance of less than \$10 will be written off.

L. If the District elects not to hiring a Billing Consultant the above billing collection procedure shall be applicable to the District's collection process except that the District will be deemed the "Billing Consultant."

IV. Hospital Transport Billing And Fees.

A. The fees set forth in the Schedule of Fees shall apply to ambulance transports that occur between hospital facilities.

B. Should a hospital within the boundaries of Collier County have the need for a transport of a patient between hospital facilities, regardless of whether the hospital that patient is to be transported to is located within the boundaries of Collier County or outside of Collier County, the District may, subject to equipment and manpower availability and at its sole discretion, utilize its resources to provide patient transport.

C. Hospitals requesting ambulance transports shall be invoiced directly for ambulance transport service on a monthly basis.

V. Adjustment of Fees.

The following shall be minimum guidelines for adjustments to ambulance service fees. The Board may authorize other adjustments.

A. Medicare and Medicaid Adjustments. Contractual adjustments under Medicare and/or Medicaid assignment will be made in accordance with applicable Medicare and/or Medicaid rules and regulations.

B. Victim's Compensation Contractual Adjustments. Contractual adjustments will be made in accordance with applicable state and federal rules and regulations.

C. Worker's Compensation Contractual Adjustments. Contractual adjustments will be made in accordance with applicable state and federal rules and regulations.

D. Champus/Tricare Adjustments. Contractual adjustments will be made in accordance with applicable Champus/Tricare rules and regulations.

E. Railroad Retirement Adjustments. Contractual adjustments will be made in accordance with applicable state and federal rules and regulations pertaining to Railroad Retirement Adjustments.

F. Bankruptcy. After receipt of a signed Discharge of Debtor notice, any account balances prior to the discharge date will be adjusted off.

VI. Hardship Cases And Payment Plans.

The Board recognizes that certain service recipients may need to be identified and processed as hardship cases. Payment plans for hardship cases will be set up on a monthly basis, with a minimum payment of \$25.00. Hardship cases placed on a payment plan will not accrue interest or be placed into collection. Notwithstanding the foregoing, if a service recipient has a payment plan and does not make the agreed scheduled payments for a period longer than two (2) months, the account will be turned over to the District's Collection Agency and interest will begin to accrue.

July 25, 2024

VII. Miscellaneous.

A. Liens. In accordance with Section 191.009(3)(e), F.S., the District shall have a lien upon any real property, motor vehicle, marine vessel, aircraft, or rail car, for any charge assessed under this subsection.

B. Joint and Several Liability to Pay Fees and Fines. All fees charged under this Resolution shall be an obligation owed jointly and severally by each responsible party. Fees and fines shall be paid to the District within the time periods specified in this Resolution, except as may be otherwise ordered by a court of law.

C. Conflict and Severability. In the event that this Resolution conflicts with any other applicable Resolution of the District, or other applicable law, this Resolution shall apply. If any phrase or portion of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.

D. Effective Date. This Resolution shall take effect immediately but the Schedule of Fees may not be charged until the District receives its license under Chapter 401, F.S., to provide ALS transport services.

The foregoing Resolution was offered by Commissioner Feder who moved for its adoption.

The motion was seconded by Commissioner Calamari, and the Vote was as follows:

Commissioner	Vote
Commissioner M. James Burke	Yay
Commissioner James A. Calamari	Yay
Commissioner Christopher L. Crossan	Yay
Commissioner Norman E. Feder	Yay
Commissioner J. Christopher Lombardo	Yay

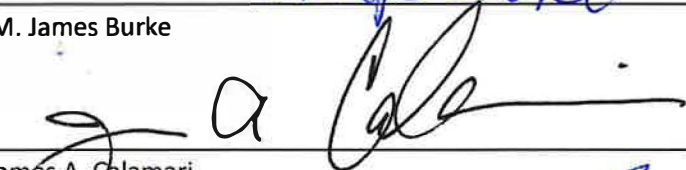
Resolution 24-006
July 25, 2024

Duly passed on this 25th day of July, 2024, by the Board of Fire Commissioners of the North Collier Fire Control and Rescue District.

NORTH COLLIER FIRE CONTROL AND RESCUE DISTRICT



M. James Burke



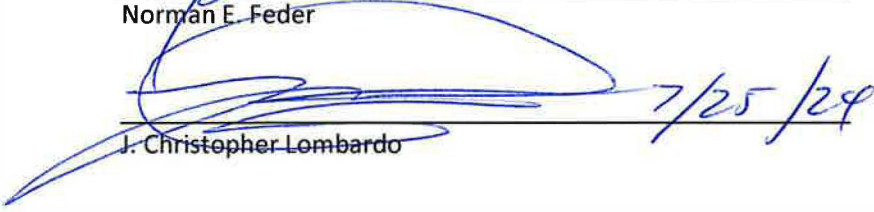
James A. Calamari



Christopher L. Crossan



Norman E. Feder



J. Christopher Lombardo

7/25/24

EXHIBIT A
Schedule of Fees

BASE RATES

SERVICE LEVELS	CODES	BASE CHARGES
1. BLS NON-EMERGENCY	A0428	\$800.00
2. BLS EMERGENCY	A0429	\$800.00
3. ALS 1 NON-EMERGENCY	A0426	\$800.00
4. ALS 1 EMERGENCY	A0427	\$800.00
5. ALS 2 EMERGENCY	A0433	\$850.00
6. TREATMENT W/O TRANSPORT	A0098	\$175.00*

MILEAGE RATES

SERVICE LEVELS	CODES	MILEAGE CHARGE
1. GROUND UNIT (Minimum Charge of 1 mile and no cap)	A0425	\$15.00

SPECIAL EVENTS AND MISCELLANEOUS RATES

A. One ALS rescue vehicle (per hour)	\$200.00
B. Personnel/no ALS rescue vehicle (per hour)	\$ 75.00

* There shall be no Treatment W/O Transport (F) charges for third party calls, or traffic accidents where only assessments are performed, and no treatment is required.