

**BOARD OF SUPERVISORS
PUBLIC HEARING**

SUBJECT: Ordinance to establish a new Chapter of the Codified Ordinances of Loudoun County/Emergency Medical Services Transport Reimbursement

ELECTION DISTRICTS: Countywide

CRITICAL ACTION DATE: January 2014

STAFF CONTACTS: John Sandy, Assistant County Administrator
Ben Mays, CFO, Management and Financial Services
Jason Cournoyer, Management and Financial Services
Keith Brower, Chief, Fire, Rescue and Emergency Management (DFREM)
Doug Rambo, Loudoun County Fire-Rescue Commission
Jose Salazar, Deputy Chief-EMS, DFREM

RECOMMENDATION:

Staff recommends that the Board of Supervisors adopt the proposed Chapter of the Codified Ordinances of Loudoun County (Attachment 1) in order to establish an Emergency Medical Services (EMS) Transport Reimbursement Program. Staff further recommends the Board approve a budget adjustment to appropriate prior year General Fund balance in the amount of \$365,000 for the FY 2014 programmatic budget, in order to fund the required staff of 3.00 FTE to establish and operate the EMS Transport Reimbursement Program, and to direct staff to proceed with the remaining implementation activities necessary for an effective program start date of July 1, 2014.

BACKGROUND: On October 16, 2013, the Board of Supervisors voted 8-1 to send the proposed ordinance to Public Hearing on December 11, 2013. In addition, the Board also conditionally approved 3.00 FTEs and a budget adjustment appropriating prior year General Fund balance in the amount of \$365,000 for FY 2014 programmatic budget requirements to establish and operate the EMS Transport Reimbursement Program, and directed staff to proceed with the remaining implementation activities necessary for an effective program start date target of July 1, 2014 following the Board's adoption of the proposed ordinance (Attachment 2).

The proposed ordinance includes elements approved through previous actions by the Board and includes: a soft billing model; a fee structure based on current market rates, not to exceed 10

percent of the highest comparable neighboring jurisdiction, with exception of Advanced Life Support-2 (ALS 2) which is to be set at \$770; a fee structure adjusted annually as part of the budget development process; and using a revenue sharing component among Fire/EMS system participants that would be managed by the County. As directed, the proposed draft ordinance includes reimbursement rates for Basic Life Support (BLS), Advanced Life Support 1 (ALS 1), and Advanced Life Support 2 (ALS 2) of \$467, \$660 and \$770 respectively; a mileage reimbursement of \$11 per mile for all types of transports; and the revenue sharing component among Fire/EMS system participants presented to the Board by the Ludwig Group LLC on July 17, 2013.

Since July 2013, staff conducted outreach to the County's Combined Fire-Rescue System (LC-CFRS) and other targeted stakeholders, and continued the development of a comprehensive public education and outreach campaign plan to be implemented following the adoption of this proposed new ordinance.

Stakeholder Outreach Efforts: From July 2013 to date:

- ***Published an informational webpage*** on the County's website on the EMS Transport Reimbursement Program. This page included all Board items, Frequently Asked Questions responses, and an informational presentation. This site is continuously updated and can be accessed at: www.loudoun.gov/emsreimbursement.
- ***Held outreach meetings*** on the evenings of August 27 and September 30 at the Fire-Rescue Training Center, August 28 at the Purcellville Town Hall and August 29 at the Ashburn Library. These outreach meetings coincided with the outreach efforts of the LC-CFRS proposed restructuring. The consultant's representative attended three of the four meetings and provided a detailed, comprehensive presentation on the structure of the proposed EMS Transport Reimbursement Program, the technical operational aspects of the program and billing process, and addressed several questions both before and after the presentation.
- ***Presentations to other stakeholders*** were provided by County staff that included detailed aspects of the EMS Transport Reimbursement Program, the current practices and regulations of emergency medical services procedures and addressed all questions about any element of emergency services. Presentations were provided as follows: the Commission on Aging Subcommittee on September 30 at the County Government Center; the Carver Senior Center on October 17; the Leesburg Senior Center on October 28; and the Disability Services Board on the evening of October 17. Further presentations were conducted at Ashby Ponds Senior Living Community on November 22 and Leisure World Senior Living Community on December 3. Additional presentations are to be provided at additional sites which are in the process of being scheduled now.

ISSUES:

In order to complete the necessary activities in establishing the program with an operational start date of July 1, 2014, the following proposed schedule is recommended:

1. A public hearing on the proposed ordinance—proposed for December 11, 2013
2. Board adoption of the ordinance—January 2014
3. Procurement of Services and Personnel—February 2014 – June 2014
4. Public Education and Outreach—March 2014 – June 2014
5. Start of the EMS Transport Reimbursement Program—July 2014

Adequate time is necessary in order to hire the required personnel, complete the procurement process for the contracted billing vendor as well as conduct a thorough, comprehensive public education and outreach campaign prior to the implementation of the program. As such, the majority of the implementation activities must commence by January 2014 in order to ensure a program effective start of July 1, 2014. It should be noted that any deviation from the proposed timeline may impact the effective start date of the program.

FISCAL IMPACT: Staff recommends that, in conjunction with the Board's adoption of the proposed EMS Transport Reimbursement Program ordinance, a budget adjustment also be approved to appropriate the FY 2014 implementation budget of \$365,000 and that the Board direct staff to proceed with the implementation activities included in Phase 3. An appropriation will be required in FY 2014 for a program effective start date of July 1, 2014. Existing General Fund balance is recommended to be used to cover the initial implementation costs of \$365,000. However, the FY 2015 revenues from the EMS Transport Reimbursement Program are expected to cover these implementation expenditures and the funding is to be transferred back to the General Fund by the second fiscal quarter of FY 2015. Funding for all initial and future programmatic costs is proposed to come from EMS Transport Reimbursement Program revenue proceeds and as such, no recurring local tax funding is required.

As part of the adoption process of the ordinance, staff recommends that the reimbursement schedule (as outlined above) in the draft ordinance proposed to the FGSO Committee at their October 8, 2013 meeting be approved by the Board of Supervisors for FY 2015 to be effective upon the establishment of the EMS Transport Reimbursement Program.

Based on the proposed FY 2015 reimbursement rate schedule, the EMS Transport Reimbursement Program is projected to yield approximately \$4.50 million in FY 2015 due to the deferment of revenue as result of the billing and payment process that typically takes a minimum of 60 days to become fully implemented.

ALTERNATIVES: The Board of Supervisors may modify the proposed draft EMS Transport Reimbursement Program ordinance or implementation elements.

DRAFT MOTIONS:

1. I move that the Board of Supervisors forward the Ordinance to establish a new Chapter of the Codified Ordinances of Loudoun County/Emergency Medical Services Transport Reimbursement item to the January 15, 2014 **Board of Supervisors' Business Meeting** for action.

OR

- 2a. I move that the Board of Supervisors **suspend the rules**.

AND

- 2b. I move the Board of Supervisors **approve**: 1.) the Ordinance to establish a new Chapter of the Codified Ordinances of Loudoun County that establishes the EMS Transport Reimbursement Program; 2.) a budget adjustment to appropriate prior year unassigned General Fund balance in the amount of \$365,000 for the FY 2014 programmatic budget, in order to fund the required staff of 3.00 FTE to establish and operate the EMS Transport Reimbursement Program; 3.) proceeding with the remaining implementation activities necessary for an effective program start date of July 1, 2014; and 4.) that the proposed Reimbursement Rate Schedule included herein be effective for FY 2015 upon the establishment of the program.

OR

3. I move an alternate motion.

ATTACHMENTS:

1. Proposed new Chapter of the Codified Ordinances of Loudoun County
2. Board of Supervisors Action Item #13k, October 16, 2013