

## Chapter 4

### AMBULANCES\*

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#### ARTICLE I. IN GENERAL

**Secs. 4-1--4-25. Reserved.**

#### ARTICLE II. MUNICIPAL AMBULANCE SERVICE

##### DIVISION 1. GENERALLY

**Sec. 4-26. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Basic life support (BLS) Ambulance* shall mean an emergency vehicle that provides transportation plus the equipment and staff needed for such basic services as control of bleeding, splinting fractures, treatment for shock, cardio-pulmonary resuscitation (CPR).

*Advanced life support (ALS) ambulance* shall mean an emergency medical service vehicle that has complex, specialized, life-sustaining equipment and, ordinarily, equipped for radio-telephone contact with a physician or hospital. Typical of this type of ambulance would be mobile coronary care units and other ambulance vehicles that are appropriately equipped and staffed by personnel trained and authorized to administer IVs, provide anti-shock trousers, establish and maintain a patient's airway, defibrillate the heart, relieve pneumothorax conditions and perform other advanced life support procedures or services such as cardiac (EKG) monitoring.

(a) *Advanced Life Support, Level 1* shall mean transportation by ground ambulance, medically necessary supplies and services and an ALS assessment by ALS personnel or the provision of at least one ALS intervention.

(b) *Advanced Life Support, Level 2* shall mean emergency transport by ground ambulance with administration of three or more medications by intravenous push/bolus or by continuous infusion excluding crystalloid, hypotonic, isotonic, and hypertonic solutions, or transportation, medically necessary supplies and services and the provision of at least one of the following ALS procedures:

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\***Cross reference**—Health and human services, Ch. 13; licenses, permits and miscellaneous business regulations, Ch. 15; traffic, Ch. 28.

**State law reference**—Emergency medical services, V.T.C.A., Health and Safety Code § 773.001 et. seq.

Manual defibrillation/cardioversion, Endotracheal intubation, Central venous line, Cardiac pacing, Chest decompression, Surgical airway, and Intraosseous line.

*Ambulance* shall mean any motor vehicle used, designed, redesigned or constructed and equipped for emergencies and used for the purpose of transporting a person who may be sick or injured.

*Ambulance service* shall mean emergency care of and/or transportation of a person in need of medical care by persons using equipment designed for the purpose.

*Call* shall mean the response to a request for services by city of Killeen EMS personnel.

*Emergency* shall mean any circumstance that calls for an immediate action and which the element of time in transporting the sick, wounded or injured for medical treatment is essential to the health or life of any person. Such circumstances include, but are not limited to, accidents generally, traffic accidents, acts of violence resulting in personal injury, and sudden illness.

*Emergency medical service personnel* shall mean emergency care attendant; basic emergency medical technician; intermediate emergency medical technician; or paramedic emergency medical technician.

*Emergency medical service (EMS)* shall mean services used to respond to an individual's perceived need for immediate medical care and to prevent death or aggravation of physiological or psychological illness or injury.

*Medical facility* shall mean any building or place of business established for the purpose of examination and/or treatment by licensed physicians of individuals that are sick or injured.

*Mileage* shall mean total miles traveled from point of patient pickup to a medical facility.

*No transport call* shall mean service which may include the administration of BLS, or ALS treatment and/or patient evaluation by city of Killeen EMS personnel, but no transportation of the individual is made in a city of Killeen ambulance.

*Person* shall mean any firm, partnership, association, corporation, company or individual.

*Transport* shall mean the transportation of a person, who may be sick, injured, or otherwise incapacitated, from place to place under other than emergency circumstances. (Code 1963, Ch. 6, art. 13, § 2 [Ord. No. 78-65, § 1, 9-26-78; Ord. No. 81-39, § 1, 8-25-81; Ord. No. 85-49, § 1(2), 9-24-85; Ord. No. 86-72, § 1, 9-23-86]; Ord. No. 96-67; § I, 8-27-96; Ord. No. 00-19; § I, 3-28-00; Ord. No. 02-37; § I, 8-27-02)

**Cross reference(s)**--Definitions and rules of construction generally, § 1-2.

**State law reference(s)**--Definitions applicable to emergency medical services, V.T.C.A., Health and Safety Code § 773.003.

## DIVISION 2. ADMINISTRATION

### **Sec. 4-27. Creation; operation by fire department; officer in charge.**

There shall be, and it is hereby created, a service to the people to be called the city of Killeen emergency medical service, which service shall be operated within the city fire department and under the authority of the fire chief or his designated representative. The primary purpose of said service shall be for the care and transportation of persons with moderate to life threatening trauma or illness, and only secondarily as a transfer service for the infirm. The fire chief is authorized to allocate or withhold equipment and personnel as he deems necessary to assure that adequate emergency care and transportation is available at all times for legitimate emergency medical needs in the city. (Ord. No. 96-67; § I, 8-27-96)

### **Sec. 4-28. Persons to whom available.**

The emergency medical service shall be available to all persons within the city limits of the city of Killeen. The service shall also be available to persons:

- (a) In the portions of Bell or other counties which are included within any interlocal mutual aid agreement between the city and the commissioners' court of a county;
- (b) In any area covered by mutual aid agreement between the city and another municipality;  
or
- (c) At the request of any governmental entity during a bona fide emergency, as approved by the city manager or his designee.

(Ord. No. 96-67; § I, 8-27-96)

### **Sec. 4-29. Operation of emergency medical service.**

Unless merely in transit through the city enroute to a medical facility by the most direct route, it shall be unlawful for any person, other than the city of Killeen EMS, or an agency of the United States, to furnish, operate, conduct, maintain, advertise for, or otherwise be engaged in the operation of an emergency ambulance or the providing of emergency service upon the streets of the city, except it be at the request of:

- (a) The city manager or his duly authorized representative;
- (b) The fire chief or his designee;
- (c) The director of emergency management in the event of a temporary emergency or a major disaster or other occurrence resulting in emergency calls exceeding the capacity of Killeen EMS vehicles.

(Ord. No. 96-67; § I, 8-27-96)

### **Sec. 4-30. Destinations of emergency trips.**

(a) The destination of all emergency trips shall be to medical facilities within Bell County, Texas. The patient may choose the medical facility destination so long as it is within Bell County. If the patient is unable for any reason, to make such choice, the city EMS personnel shall choose the facility according to the EMS standard operating procedures.

- (b) In the event of mutual aid assistance, the city's EMS unit shall deliver emergency trip

patients as directed by the authorized person in charge of the jurisdiction requesting mutual aid, or in the event no such orders are given, the city EMS personnel shall deliver patients to the nearest appropriate facility.  
(Ord. No. 96-67; § I, 8-27-96)

**Secs. 4-31--4-41. Reserved.**

**Sec. 4-42. Assignment of insurance.**

The city of Killeen shall accept assignments as method of payment from all insurance carriers for emergency medical services performed. (Code 1963, Ch. 6, art. 13, § 4 [Ord. No. 78-65, § 1, 9-26-78; Ord. No. 81-39, § 1, 8-25-81; Ord. No. 85-49, § 1(2), 9-24-85; Ord. No. 86-72, § 1, 9-23-86]; Ord. No. 96-67; § I, 8-27-96 Ord. No. 02-37; § II, 8-27-02)

**Sec. 4-43. Presumption.**

(a) It shall be prima facie evidence that the person utilizing such emergency medical service did so with the intent to defraud the city, upon showing that such person was notified in writing of the indebtedness due for such service, and upon failure of such person to either: pay for such indebtedness within sixty (60) days after receipt of notice, or during that time, to make arrangements with the finance department for periodic installment payments on the debt.

(b) If an account is delinquent more than one hundred twenty (120) days, the account shall be turned over to a collection agency for collection process, or sued upon, or such other remedy provided by law for the collection of unpaid debt may be used.  
(Code 1963, Ch. 6, art. 13, § 5 [Ord. No. 78-65, § 1, 9-26-78; Ord. No. 81-39, § 1, 8-25-81; Ord. No. 85-49, § 1(2), 9-24-85; Ord. No. 86-72, § 1, 9-23-86]; Ord. No. 96-67; § I, 8-27-96)

**Sec. 4-44. Right of refusal of service.**

The city emergency medical service shall reserve unto itself the right to refuse service to the following persons:

(a) Those described in 1-3 below, unless accompanied by a peace officer:

1. Persons who are in confinement of, under control of, or have been placed under arrest by any law enforcement officer or agency;
2. Persons who have been adjudged insane, incompetent or mentally ill by a court of competent jurisdiction, or who have such proceedings pending. No insane or mentally ill person will be transported without an attendant or nurse accompanying such person. The city shall not be responsible for obtaining any nurse or attendant.
3. Persons who, in the opinion of ambulance attendants, are unruly, disorderly, intoxicated or under the influence of alcohol or other substance to a degree that they cannot be transported in a safe manner, taking into consideration the safety and welfare of all occupants of the vehicle. Any drunk, disorderly or unruly person ordered by a doctor or peace officer to be transported in an ambulance may be refused by the city, unless such person shall be accompanied by a peace officer in such ambulance.

(b) Persons who, in the judgment of a paramedic on the scene, exhibit only normal health or a mild medical condition and not a medical emergency, not warranting use of the city's mobile intensive care units for immediate transportation (thereby assuring availability of such for legitimate medical emergencies). In such instances, the paramedic shall render any appropriate care or first aid, and inform the person that there are alternative methods of non-emergency transportation available (e.g., private vehicle, private ambulance transfer service, taxi, or public transportation). No city employee shall ever endorse or indicate favoritism for one transportation provider over another.

(Ord. No. 96-67; § I, 8-27-96)

**Sec. 4-45. No transport calls.**

When a call is received from a scene of an accident and/or event and treatment is provided, bill for services performed and supplies used if cost exceeds \$25.00.

If a call is received from the patient's residence and treatment is provided to the sick or injured, but transportation to a medical facility is refused by the patient or family member, then a base rate fee of \$100.00 may be charged.

When aid and/or patient assessment is provided to the sick or injured in response to a call for EMS, but transportation to a medical facility is refused by either the patient or a paramedic on the scene, then no base rate fee may be charged, if the call is to a location within the city limits. Fees for no-transport calls outside of the city limits shall be determined by contract with other governmental entities requesting the service. (Ord. No. 96-67; § I, 8-27-96; Ord. No. 00-19, § II, 3-28-00 Ord. No. 02-37; § III, 8-27-02)

DIVISION 3. FEES

**Sec. 4-46. Fees.**

(a) Any person who uses the emergency medical services of the city, whether such person requested the same or not, shall pay for the service in accordance with the following fee schedule. Fees for services in addition to the ambulance service rate will be charged according to the fee schedule when additional services and supplies are needed by the person. The fee schedule shall apply to each person transported whether one or more persons are picked up in the same ambulance at the same time.

(b) In the event a hospital, nursing home or other entity or individual is responsible for the transport, transfer or other transportation of a person using the ambulance service of the city, that responsible hospital, nursing home or other entity or individual shall pay for such service according to the following fee schedule:

*Fee Schedule*

(Based upon a one-way trip)

Service	Fee
(1) BLS Transport (Emergency) on ALS Ambulance	\$500.00
(2) ALS Transport, Level 1	\$600.00

- (3) ALS Transport, Level 2 \$700.00
- (4) Additional attendant \*\$40.00

\* If CPR is administered, the patient’s weight obviously exceeds 300 lbs., or the patient is carried up or down a long flight of stairs.

- (5) Treatment - no transport from the scene of an accident and/or event - bill for services performed and supplies used if cost exceeds \$25.00.
- (6) Treatment – no transport - if call is received from patient’s residence – bill a flat base rate of \$100.00
- (7) Mileage, per mile \$9.00
- (8) Extrication \$100.00
- (9) Oxygen, drugs, medications, miscellaneous bandages and supplies are charged according to the reasonable cost per item in accordance with the Health Care Financing Administration (HCFA).

*Standing time.* Every emergency trip or transfer to any hospital, clinic, doctor’s office or other place will include a waiting period of not more than fifteen (15) minutes without additional charge. An additional charge of fifteen dollars (\$15.00) will be made for each fifteen (15) minutes or fraction thereof, that the ambulance unit and its equipment must wait at any hospital, clinic, doctor’s office or other place prior to discharge.

*Emergency service outside of city.* Fees for emergency ambulance services provided by the city of Killeen emergency medical service to locations outside of the Killeen city limits but within Bell County shall be made in accordance with an EMS service contract between the city of Killeen and Bell County. Fees for emergency ambulance service provided by the city of Killeen emergency medical service to locations out of county shall be charged in accordance with the above Fee Schedule. An additional fee of two hundred dollars (\$200.00) shall be applied.

*In-county and out-of-county transfer service.* Each person transported on a non-emergency transfer basis, to and from points inside Bell county, shall be charged and pay the transfer and mileage fees stated above, or as modified by any EMS contract with another jurisdiction. Each person transported on a non-emergency transfer basis to or from a point outside of Bell county shall be charged and shall pay an additional two hundred dollars (\$200.00) for such service above prevailing rates and all charges for such service shall be paid for in advance. Availability of all transfer service is dependent on permission of the fire chief or his designee, based upon the need to assure adequate emergency personnel and equipment are present within the city at all times. (Ord. No. 96-67; § I, 8-27-96; Ord. No. 98-35, § I, 6-9-98; Ord. No. 00-19, § III, 3-28-00; Ord. No. 02-37; § IV, 8-27-02; Ord. No. 04-72, § I, 8-24-04)

**Sec. 4-47. Amending Fees.**

Only the city council may establish the fees and same shall be charged to all customers. This does not affect the discretion or authority of either the finance department or legal department to reduce a bill to avoid an inequitable charge, or in the course of reasonably settling a dispute or claim. (Code 1963, Ch. 6, art. 13, § 2 [Ord. No. 78-65, § 1, 9-26-78; Ord. No. 81-39, § 1, 8-25-81; Ord. No. 85-49, § 1(2), 9-24-85; Ord. No. 86-72, § 1, 9-23-86]; Ord. No. 96-67; § I, 8-27-96)