

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 1 OF THE MESQUITE CITY CODE, AS AMENDED, BY DELETING SECTION 1-16(3) IN ITS ENTIRETY AND ADDING A NEW SECTION 1-16(3) AND BY ADDING A NEW SECTION 1-16(4) THEREBY ADOPTING A HARDSHIP ASSISTANCE POLICY REGARDING AMBULANCE FEES AND CHARGES; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mesquite, Texas (the "City Council") finds that the provision of ambulance services is essential to the health and safety of the public; and

WHEREAS, the City Council finds that members of the public with limited financial resources may not use emergency medical services even when needed because of their inability to pay for such services; and

WHEREAS, the City Council finds that establishing a hardship assistance program to defray the costs of ambulance services under certain defined financial circumstances as more fully set forth herein is a matter of public health and safety and serves the public purpose of making emergency medical services more readily available to the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated and adopted as part of this ordinance for all purposes.

SECTION 2. That Chapter 1 of the Mesquite City Code, as amended, is hereby amended by deleting Section 1-16(3) in its entirety and adding a new Section 1-16(3) and by adding a new Section 1-16(4) to read as follows, in all other respects said Code, Chapter and Section shall remain in full force and effect:

- “(3) The person receiving emergency ambulance service, and any person contracting for the service, shall be responsible for payment of all ambulance fees and charges authorized by this Code, less any reduction in fees and charges received pursuant to the hardship assistance policy set forth in Section 1-16(4) below. In the case of emergency ambulance service received by a minor, the parent or guardian of the minor shall be responsible for payment of all ambulance fees and charges authorized by this Code for service received by the minor, less any reduction in fees and charges received pursuant to the hardship assistance policy set forth in Section 1-16(4) below.
- (4) It is understood that not all persons receiving emergency ambulance services are financially able to provide payment of all ambulance fees and charges authorized by this Code. It is the policy of the City of Mesquite, Texas (the "City") to

provide hardship assistance by allowing a reduction of the ambulance fees and charges authorized by this Code due to certain definable financial circumstances of the person who received the ambulance service, the person contracting for the service, or the party responsible for the payment of the ambulance fees and charges, all as more fully set forth herein. The guidelines to determine eligibility for hardship assistance for ambulance fees and charges owed to the City are as follows:

Based upon the federal poverty level guidelines published in the Federal Register by the U.S. Department of Health and Human Services, as hereafter updated periodically ("FPL"), a person receiving emergency ambulance service, a person contracting for ambulance service or, in the case of service received by a minor, the parent or guardian of the minor (each hereinafter referred to as a "Responsible Party"), may receive the following reduction in ambulance fees and charges:

- a. A 100 percent reduction of the outstanding balance owed by the Responsible Party, if the Responsible Party's "Adjusted Gross Income" (as defined by the Internal Revenue Service) falls below 125 percent of the FPL;
- b. A 75 percent reduction of the outstanding balance owed by the Responsible Party, if the Responsible Party's "Adjusted Gross Income" (as defined by the Internal Revenue Service) falls below 150 percent of the FPL;
- c. A 50 percent reduction of the outstanding balance owed by the Responsible Party, if the Responsible Party's "Adjusted Gross Income" (as defined by the Internal Revenue Service) falls below 175 percent of the FPL; or
- d. A 25 percent reduction of the outstanding balance owed by the Responsible Party, if the Responsible Party's "Adjusted Gross Income" (as defined by the Internal Revenue Service) falls below 200 percent of the FPL.

The professional billing service contractor performing ambulance billing services for the City (the "Contractor") may rely on these guidelines and provide hardship assistance without further approval from the City; however, the City reserves the right to review any of the bills that received hardship assistance in order to ascertain if the Contractor is acting in conformity with these guidelines. The City further reserves the right to modify this policy at any time.

These guidelines are provided to determine eligibility for hardship assistance pursuant to this policy. In all cases, a Responsible Party's income level will primarily be determined by obtaining a copy of one of the following: (i) the Responsible Party's most recently filed federal tax return; (ii) a recent payroll check stub of the Responsible Party; or (iii) proof of the Responsible Party's social security income, disability and other sources of income."

SECTION 3. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 4. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 5. That this ordinance shall take effect immediately from and after its passage.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of September 2019.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney