

ORDINANCE NO. 2023-05

**AN ORDINANCE AMENDING THE
SCHEDULE OF CHARGES FOR THE PROVISION
OF EMERGENCY MEDICAL RESPONSE SERVICES BY THE
BENSENVILLE FIRE PROTECTION DISTRICT No. 2**

WHEREAS, the Bensenville Fire Protection (the “District”), DuPage County, Illinois, is a fire protection district duly incorporated under the laws of the State of Illinois (70 ILCS 705/1); and

WHEREAS, the Illinois Fire Protection District Act grants the board of trustees of a fire protection district the authority to “fix, charge and collect fees for emergency ambulance service within or outside of the fire protection district” (70 ILCS 705/22); and

WHEREAS, the District renders emergency medical services on public and private property within and outside the District to resident and non-resident persons, businesses, and other entities in the performance of its obligations to the public; and

WHEREAS, the District and its taxpayers incur significant costs to provide such emergency medical services; and

WHEREAS, the District has previously adopted ordinance 2018-01, and 2019-01 establishing a fee for emergency medical response services by the Bensenville Fire Protection District No. 2; and

WHEREAS, the District has entered into an Intergovernmental Agreement with the Illinois Department of Healthcare and Family Services to participate in the federal government’s Ground Emergency Medical Transportation (“GEMT”) Program to obtain supplemental payments for emergency ambulance transport services to patients covered by Medicaid; and

WHEREAS, in order to participate in the GEMT Program, the District is required to complete a Centers for Medicare and Medicaid Services (“CMS”) cost report form (“Cost Report”) to the Illinois Department of Healthcare and Family Services; and

WHEREAS, based on the Cost Report, the Illinois Department of Healthcare and Family Services will annually approve the District's ambulance billing rate(s) pursuant to the GEMT Program; and

WHEREAS, the District's Board of Trustees ("Board") has previously adopted ordinances assessing fees for rendering emergency medical services and desires to adopt an updated fee schedule that more accurately reflects the costs paid by the District taxpayers for rendering such emergency services in accordance with the approved ambulance billing rate(s) under the GEMT Program; and

WHEREAS, the Board desires to provide consistent billing for comparable services rendered to individuals, regardless of whether they are insured by private or public insurers under the GEMT Program; and

WHEREAS, the Board finds that it is in the best interest of the District to amend its fee schedule for providing emergency medical services and transport.

NOW, THEREFORE, Be it Ordained, by the Board of Trustees of the Bensenville Fire Protection District No. 2, DuPage, Illinois, as follows:

Section One: The Board finds and determines the foregoing Recitals to be true and correct, and said Recitals are incorporated herein as if written out here in full.

Section Two: That the District hereby establishes the following **Ambulance Transport Fee Schedule** as follows:

Ambulance Transport Fee Schedule:

- (a) A fee will be charged for emergency medical services rendered by the Bensenville Fire Protection District No. 2 for ambulance service provided by the District;
- (b) The fee charged by the District shall be established on an annual basis based on the Illinois Healthcare and Family Services Ground Emergency Medical Transport Cost Report Calculation of Bensenville Fire Protection

District No. 2 Medical Transportation Services and approved by the District's Board of Trustees. For 2023, the Ambulance Transport Fees for the District are as follows:

The Ambulance Transport Fee for Advanced Life Support ("ALS") responses for calendar year 2023 shall be \$4,500.00;

The Ambulance Transport Fee for Basic Life Support ("BLS") responses for calendar year 2023 shall be \$3,500.00;

All emergency medical non-transports, regardless of level of service provided or residency shall be assessed a fee of \$450.00;

All Ambulance Transports, regardless of level of service provided or residency of patient shall be assessed a mileage fee of \$25.00 per mile.

- i. All patients, whether resident or non-resident, receiving emergency medical transportation services from the Bensenville Fire Protection District No. 2 shall be billed uniformly at the rate as determined in Section Two (b) of this Ordinance.
 - a. For purposes of this Section, the term "resident" shall mean any person whose actual domicile is within the corporate boundaries of the District.
 - b. For residents, the District shall accept the resident's insurance company's payment as "payment in full" and will not bill residents for their co-insurance. Residents shall be billed for any applicable or required deductible if obligated by their insurance provider.
- (c) The Board of Trustees maintains the discretion to waive, adjust, or decrease any ambulance fee or charge under this Ordinance based on an

ability to pay on a case-by-case basis.

- (d) Nothing in this Ordinance shall authorize the District to refuse to provide any service to any person, business or entity that has not paid for services previously provided or that owes any money for services provided.

Section Three: Beginning on December 1, 2023, and each successive December 1st thereafter, the flat fee set forth in Section One of this Ordinance shall be increased by two percent (2%) without any further action by the Board of Trustees or by an amount determined to be necessary to reflect increased costs by the Board.

Section Four: All ordinances including Ordinance No. 2018-01, and 2019-01 and parts of any ordinances in conflict or inconsistent with any of the provisions of this Ordinance are hereby repealed to the extent that they conflict.

Section Five: If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

Section Six: This Ordinance shall be immediately in full force and effect after passage and approval.

ADOPTED this 19th day of July 2023, pursuant to a roll call vote as follows:

AYES: Madura, Budnik, Eltman

NAYS: 0

ABSENT: 0



President, Board of Trustees
Bensenville Fire Protection District No. 2

ATTEST:


Secretary, Board of Trustees
Bensenville Fire Protection District No. 2

STATE OF ILLINOIS)
)
COUNTY OF DuPage) SS

SECRETARY'S CERTIFICATE

I, Douglas Eltman, the duly qualified Secretary of the Board of Trustees of the Bensenville Fire Protection District No. 2, DuPage County, Illinois, do hereby certify that the attached hereto is a true and correct copy of an Ordinance entitled:

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which Ordinance was adopted by the Board of Trustees of the Bensenville Fire Protection District No. 2 at a meeting held on the 19th day of July 2023. I do further certify that a quorum of said Board was present in person at said meeting, or by electronic means at said meeting, and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of July 2023.



Secretary, Board of Trustees
Bensenville Fire Protection District No. 2