



MEMORANDUM

Agenda Item No. 7(C)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: January 21, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance amending Section 4-7
of the Code relating to ambulance
rates charged by municipalities

Ordinance No. 10-02

The attached ordinance was amended at committee to clarify that municipalities are only authorized to establish ambulance rates charged by municipal fire and/or rescue departments.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice-Chairman Jose "Pepe" Diaz and Co-Sponsor Government Operations Committee.

R. A. Cuevas, Jr.
County Attorney

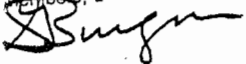
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Memorandum



Date: January 21, 2010

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess 
County Manager

Subject: Ordinance amending Section 407 of the Code; relating to municipal ambulance rates

The proposed ordinance providing that ambulance rates charged by a municipality in Miami-Dade County shall be established by resolution adopted by each city commission after a public hearing, and thereafter filed with the Consumer Services Department, will have no fiscal impact on Miami-Dade County.

A handwritten signature in cursive script, appearing to be "Alexy", written over a horizontal line.

Assistant County Manager

fis01210

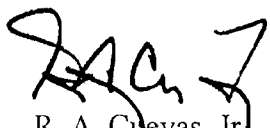


MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: January 21, 2010

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(C)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Ordinance creating a new board requires detailed County Manager's report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)
1-21-10

ORDINANCE NO. 10-02

ORDINANCE RELATING TO AMBULANCES AND MEDICAL TRANSPORTATION VEHICLES; AMENDING SECTION 4-7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT RATES CHARGED BY MUNICIPAL GROUND AMBULANCE CERTIFICATE HOLDERS SHALL BE DETERMINED BY RESOLUTION ADOPTED BY CITY COMMISSION; PROVIDING THAT APPROVED RATES BECOME EFFECTIVE WHEN FILED WITH CONSUMER SERVICES DEPARTMENT WITHIN SPECIFIED TIME PERIOD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Chapter 4, Article I of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

CHAPTER 4

AMBULANCES AND MEDICAL TRANSPORTATION VEHICLES

ARTICLE I. IN GENERAL

* * *

Sec. 4-7. Rates.

- (a) Rates to be charged. It shall be unlawful for any certificate holder to charge, demand, request, or accept any fare other than the rates established pursuant to this ordinance except as may be provided by: (1) Federal law; (2) a countywide emergency and non-emergency ambulance service and non-emergency medical transportation vehicle service contract

¹Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

between one or more private ambulance providers and Miami-Dade County; or, (3) by resolution adopted by the Board approving a lower uniform rate to provide private inter-facility transfer of indigent or Medicaid patients to or from a state-designated and licensed rural hospital, as specified in Section 395.602(2)(e)4, Florida Statutes, where said rate has been negotiated by the hospital and a private certificate holder. Rates established by this chapter shall be applicable throughout Miami-Dade County, both in the incorporated and unincorporated areas, without regard to any municipal boundaries. Every ambulance shall have posted in a conspicuous place, readily visible to the occupants, a schedule showing all authorized rates.

- (b) Ambulance and air ambulance rates. All ambulance and air ambulance rates shall be established by the commission after public hearing. The manager shall investigate all requests for rate changes and prepare a report for the commission's consideration.
- (c) Private ground ambulance rates. All private ground ambulance rates shall be uniform among all certificate holders, except as provided in Section 4-7(a).
- >>(d) Ambulance Rates Charged by <<[[Municipalities]]²>>Municipal Fire and/or Rescue Departments<<.
>>Notwithstanding the foregoing, all ambulance rates charged by a <<[[municipality]]>>municipal fire and/or rescue department<< >>in Miami-Dade County shall be established by resolution adopted by each city commission after a public hearing. Ambulance rates charged by<< [[municipalities]]>>municipal fire and/or rescue departments<< >>shall not be subject to approval by the Board of County Commissioners. Each municipality which adopts a resolution establishing a schedule of ambulance rates<< >>for a municipal fire and/or rescue department<< >>shall provide the Miami-Dade County Consumer Services Department with a copy of the resolution approving any rate change as well as the schedule of rates within thirty (30) days after the adoption of the resolution authorizing the rate change. Rate changes adopted by<< [[municipalities]] >>municipal fire and/or rescue

² Committee amendments are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or >>double arrowed<< constitute the amendment proposed.

departments<< >>after the effective date of this ordinance shall only become effective when filed with the Consumer Services Department as provided for in the preceding sentence. Every ambulance shall have posted in a conspicuous place, readily visible to the occupants, a schedule showing all authorized rates.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: **January 21, 2010**

Approved by County Attorney as to form and legal sufficiency:

APU

Prepared by:

GKS

Gerald K. Sanchez

Prime Sponsor: Vice-Chairman Jose "Pepe" Diaz
Co-Sponsor: Government Operations Committee