OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 7(E)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

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

SUBJECT: Ordinance amending Section 4-7 of the Code eliminating requirement that air ambulance rates be established by Miami-Dade County

Ordinance No. 15-86

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

/

Memorandum

MIAMI-DADE COUNTY

Date: September 1, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Relating to Air Ambulance Rates

The proposed Ordinance amends Section 4-7 of the Code and eliminates Miami-Dade County's regulatory requirements to set air ambulance rates for non-county entities. Implementation of this ordinance will not have a fiscal impact on the County.

Russell Benford
Deputy Mayor

Fis07215

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: September 1, 2015

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

SUBJECT: Amended Agenda Item No. 7(E)

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 Mayor'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 _____

Amended
Agenda Item No. 7(E)
9-1-15

ORDINANCE NO. 15-86

ORDINANCE AMENDING SECTION 4-7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ELIMINATING REQUIREMENT THAT AIR AMBULANCE RATES BE ESTABLISHED BY MIAMI-DADE COUNTY; 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. Section 4-7 of the Code of Miami-Dade County, Florida, is hereby amended as follows:[1]

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 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.

[1] Words 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.

(b) Ambulance and air ambulance rates. All ambulance [[~~and air ambulance~~]] rates shall be established by the commission after public hearing. >>Neither the commission nor the Mayor shall establish air ambulance rates unless the commission finds that (1) air ambulance rates being charged are excessive and (2) it is in the best interest of Miami-Dade County to establish an air ambulance rate. Air ambulance certificate holders shall provide an annual written report to the commission stating the air ambulance rates being charged.<< The [[~~manager~~]] >>Mayor<< 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 Municipal Fire and/or Rescue Departments. Notwithstanding the foregoing, all ambulance rates charged by a 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 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 municipal fire and/or rescue departments after the effective date of this section 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. The provisions of this ordinance shall become effective upon the passage of ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, upon an override by this Board.

PASSED AND ADOPTED: September 1, 2015

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Bruce Libhaber

Prime Sponsor: Commissioner Rebeca Sosa