

Article III. EMS/Rescue.

Division A. General Provisions.

Sec. 10-60. Establishment of a County EMS/Rescue Division.

(a) In order to assure the provision of adequate and continuing emergency services to the citizens of Campbell County and to preserve, protect and promote the public health, safety, and general welfare, and in order to provide all emergency services personnel with the full benefit of privileges, rights and remedies available to them under law, the Board of Supervisors of Campbell County hereby establishes a County EMS/Rescue Division in order to mitigate the effects of accidents, disasters and other medical and rescue oriented emergency situations.

(b) The following organizations and groups are hereby officially recognized as entities of the Campbell County Department of Public Safety, EMS/Rescue Division and are hereby granted permits to operate emergency medical service vehicles in Campbell County: Altavista Life Saving and First Aid Crew, Inc., Campbell County Rescue Squad, Inc., Citizens Emergency Crew, Inc., Concord Rescue Squad, Inc., Brookneal Rescue Squad, Inc., Rustburg Rescue Squad, Inc., Campbell County Rescue Commission, Evington Volunteer Fire Department, Brookville-Timberlake Volunteer Fire Department, Campbell County Public Safety. Volunteer agencies identified in this subsection will maintain separate licensure with the Virginia Department of Health – Division of Emergency Medical Services and maintain oversight of their respective volunteer agencies unless a separate agreement is entered into with Campbell County as agreed to by both parties. Included in this provision is the responsibility to maintain mutual aid agreements with bordering agencies.

(c) The following organizations and groups are hereby officially recognized as nonjurisdictional entities that are authorized to provide services for the Campbell County Department of Public Safety, EMS/Rescue Division and are granted permits to operate emergency medical service vehicles in Campbell County and charge a fee for the service they provide to patients: Lynchburg Fire Department and EMS. The Campbell County Department of Public Safety may enter into contracts with these organizations to provide services on a routine basis as authorized by the Board of Supervisors. Additionally, the County may enter into mutual aid agreements with surrounding jurisdictions and agencies when it is deemed appropriate to do so by the County Board of Supervisors.

(d) The following organizations are hereby officially recognized as private commercial or not-for-profit entities that are authorized to provide EMS services within Campbell County and are granted permits to operate emergency medical service vehicles, including but not limited to air medical evacuation (medevac) services utilizing helicopters equipped for such use, in Campbell County and charge a fee for the service they provide to patients: Virginia Ambulance Services, Inc., Centra Health (*Medflight* helicopter), University of Virginia (*Pegasus* helicopter), and Carilion Health System (*Lifeguard*

helicopter). Furthermore, these private commercial or not-for-profit entities are exempt from the remainder of the provisions in this article.

(e) Each of the organizations mentioned in section §10-60(b) shall be assigned response areas that provide the best services to the citizens of the County. These response areas shall be maintained in writing by the Campbell County Department of Public Safety, a copy of which will be posted in the communications center and available to the public. The Department of Public Safety may amend or change these boundaries from time to time in order to provide the best services available.

(f) For purposes of this Article, the following definitions shall apply, unless the context requires a different meaning:

“Emergency medical services personnel” means persons responsible for the direct provision of emergency medical or rescue services in a given medical emergency or emergency rescue including all persons who could be described as attendants, attendants-in-charge, or operators.

“Emergency medical services vehicle” means any vehicle, vessel, aircraft or ambulance that holds a valid emergency medical services permit issued by the state Office of Emergency Medical Services that is equipped, maintained or operated to provide emergency medical care or transportation of patients who are sick, injured, wounded, or otherwise incapacitated or helpless.

“Fire/EMS company” or *“Fire/EMS department”* means a volunteer fire-fighting or emergency medical services (EMS) organization organized pursuant to VA. CODE ANN. §27-8 in any town, city or county of the Commonwealth, with the approval of the governing body thereof consisting of fire fighters or emergency medical services personnel, or both.

For state law authority, see VA. CODE ANN. §32.1-111.14 (Cum. Supp. 2005). See also VA. CODE ANN. §15.2-955 (Cum. Supp. 2005), §27-8.1 (Repl. Vol. 2004), and §27-23.6 (Repl. Vol. 2004).

Editor’s note: This ordinance is established to provide general guidelines in the provision of Emergency Medical Services within Campbell County. More specific guidelines regarding the relationship between Campbell County and the various volunteer agencies within Campbell County may be found in the most recently adopted Memorandum of Agreement adopted by the Campbell County Board of Supervisors.

[THE NOVEMBER 21, 2005 ACT adopted this section.]

[THE JANUARY 3, 2006 AMENDMENT added the last two sentences in (b).]

Sec. 10-61. Entities of County EMS/Rescue Division responsible to the Department of Public Safety.

(a) Each of the organizations and groups mentioned in subsections (b) and (c) of §10-60 shall coordinate their operations and activities with the Campbell County Department of Public Safety and will carry out their assigned tasks to the best of their ability.

(b) Each EMS/rescue organization mentioned in §10-60(b) shall appoint a district captain who shall be responsible for the overall direction and control of EMS/rescue service activities within his organization's respective primary response areas. Additionally, the captain shall insure that his organization complies with all of the provisions of applicable laws, ordinances, and standard operating procedures and shall coordinate his organization's operations and activities with the Director of Public Safety or his designee.

For state law authority, see VA. CODE ANN. §32.1-111.14 (Cum. Supp. 2005). See also VA. CODE ANN. §27-23.6 (Repl. Vol. 2004).

[THE NOVEMBER 21, 2005 ACT adopted this section.]

Sec. 10-62. Responsibility and authority.

(a) All officially recognized members of the organizations and groups mentioned above shall perform their respective duties, as outlined in standard operating procedures and applicable laws and ordinances, to the best of their ability.

(b) All officially recognized members of the organizations and groups mentioned above will be subject to the procedures and practices established by the Campbell County Board of Supervisors or its designee.

(c) While performing in his official capacity, each of the members of the organizations and groups mentioned above shall have the authority to carry out his respective assignments as provided for in applicable laws, ordinances and standard operating procedures.

For state law authority, see VA. CODE ANN. §27-23.6 (Repl. Vol. 2004) and §32.1-111.14 (Cum. Supp. 2005).

[THE NOVEMBER 21, 2005 ACT adopted this section.]

Sec. 10-63. EMS/Rescue personnel afforded certain privileges, rights and remedies.

When providing services in their official capacity and acting within the guidelines of the Department of Public Safety, all officially recognized members of the organizations and groups mentioned above shall be afforded all of the privileges, rights and remedies available to them under law.

For state law authority, see VA. CODE ANN. §27-23.6 (Repl. Vol. 2004).

[THE NOVEMBER 21, 2005 ACT adopted this section.]

Sec. 10-64. Obedience to orders of the senior officer in charge at the scene of accidents

disasters and other medical and rescue oriented incidents.

Every person present at the scene of an accident or other medical or rescue oriented incident shall be obedient to the orders of the senior officer in charge in any matter relating to medical matters, freedom of rescue squad, medical personnel and apparatus to perform their duties or to function properly, and the maintenance of order at or near the scene of an accident or other medical or rescue oriented incident, and it shall be unlawful and a class 4 misdemeanor for any person to disobey any such order of the senior officer in charge. The senior officer in charge shall have authority to cause the arrest of persons who disobey such orders and to hold them in custody until the incident or danger is abated, at which time the violator shall be dealt with according to law.

For state law authority, see VA. CODE ANN. §18.2-414.1 (Repl. Vol. 2004). See also VA. CODE ANN. §27-15.1 (Repl. Vol. 2004) and §27-23.9 (Repl. Vol. 2004).

Editor's note: This section is intended to address issues of medical and rescue operations; however, it is not intended to imply that medical care will be guided by less qualified senior officers when a more highly trained medical professional is attending patients on scene. Authority and responsibility of career staff shall be determined by the Emergency Medical Services Advisory Committee as outlined in the most recently adopted Memorandum of Agreement adopted by the Campbell County Board of Supervisors.

[THE NOVEMBER 21, 2005 ACT adopted this section.]

Sec. 10-65. Service fee for ambulance transport.

(a) *Service fee for emergency ambulance transport.*

(1) Pursuant to VA. CODE ANN. §32.1-111.14 (Cum. Supp. 2005), as amended, it is hereby determined and declared that the exercise of the powers and duties set forth herein is necessary to assure the provision of adequate and continuing

emergency services and to preserve, protect and promote the public health, safety and general welfare.

(2) *Definitions.* The following definitions shall apply to ambulance charges:

“Basic life support (BLS)”: Services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medical Services (EMS) Educational and Practice Blueprint for the Emergency Medical Technician (EMT)- Basic.

“Advanced life support level 1 (ALS-1)”: Services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.

“Advanced life support level 2 (ALS-2)”: Services shall be defined as advanced life support (ALS) services provided to a patient including any of the following medical procedures: (i) manual defibrillation/cardioversion, (ii) endotracheal intubation, (iii) central venous line, (iv) cardiac pacing, (v) chest decompression, (vi) surgical airway or (vii) intraosseous line, and the administration of three (3) or more medications.

“Ground transport mileage (GTM)”: Shall be assessed in actual road miles from the location of the incident scene, or center point of a rescue demand zone where an incident scene or address is located, to a hospital or other facility where a patient is transported.

(3) The schedule of rates for emergency ambulance transport services by the Campbell County emergency medical services system shall be based on a schedule as may be set by resolution by the Campbell County Board of Supervisors from time to time.

(4) The County Board of Supervisors shall adopt appropriate rules and policies for the administration of the charges imposed by this section, including and not limited to, payment standards for those persons who demonstrate economic hardship, as established by this ordinance.

(b) *Billing.*

(1) Campbell County or its agent shall generate a bill for ambulance transports whose point of origin is within the boundaries of Campbell County performed by all ambulances operated by an agency licensed and chartered in Campbell County by the Commonwealth of Virginia and mentioned in §10-60(b) above. Organizations are required to submit information required for the County or its agent to generate a bill for such services. Campbell County will not generate a bill for ambulance transport by

organizations mentioned in §10-60(b) above that would be considered humanitarian assistance (meaning activities not undertaken as a result of a call for emergency assistance to the Campbell County Public Safety Communications Center). Due to the fact that patient care information is highly confidential under several state and federal laws, Call Sheets/Patient Care reports will remain the responsibility of the agency responding to individual calls. Information shared under this subsection shall be that information *reasonably necessary* to accomplish the billing process or other arrangement as mutually agreed to by the providing agency and Campbell County.

(2) Campbell County may generate a bill for ambulance service in the primary response areas of organizations mentioned in §10-60(b) above in adjoining localities by separate agreement between Campbell County, the adjoining locality, and the organization.

(3) No organization mentioned in §10-60(b) above that is licensed and chartered in Campbell County by the Commonwealth of Virginia may bill for services without the prior consent of the Campbell County Board of Supervisors.

(4) Fees and responsibility for payment. Payment of all charges for ambulance services, including evaluation, treatment or ambulance transport, shall be the responsibility of the patient or the parent, guardian, or other legally responsible party in the case of a minor or an individual deemed incompetent.

(c) *Billing process.* Patients will fall into one of the following categories for billing purposes:

(1) *Insured through third-party health insurance company, Medicare, Medicaid, and is a resident of or employed in Campbell County.* The appropriate health insurance carrier will be billed. A resident of Campbell County or persons employed in Campbell County will not be responsible (invoiced) for co-payments, co-insurance, or other similar payments.

(2) *Insured through third-party health insurance company, Medicare, Medicaid, and is not a resident of or employed in Campbell County.* The appropriate health insurance carrier will be billed. Any applicable co-payments, co-insurance, deductibles, or other similar payments, may be billed to the patient.

(3) *No insurance and is a resident of or employed in Campbell County.* The patient will not be responsible (invoiced).

(4) *No insurance and is not a resident of or employed in Campbell County.* A bill may be sent to the patient transported. If the individual has the financial ability to pay, then payment of the outstanding charges is required. If the patient can demonstrate a

financial hardship and qualifies for reduced payments pursuant to subsection (e), then the patient shall be eligible for a reduction of the amount of the charges due.

(d) *Billing contractor.* Campbell County may contract with a third-party for billing and related services.

(e) *Ability to pay program.*

(1) This program establishes an equitable fee setting policy for those situations where the patient is unable to meet the ambulance transport charge because of demonstrated financial hardship.

(2) The Campbell County Board of Supervisors shall establish an ability to pay scale and eligibility criteria for individuals who can demonstrate financial hardship and receive a reduction in the charges owed.

(3) When a patient is billed for a transport and because of limited financial resources or assets, a procedure is hereby established for such patients to apply for a reduction in the charges due.

(4) A patient representing that there exists a financial hardship will submit information sufficient to determine such hardship. If it is determined that payment of the emergency ambulance transport charges creates a financial hardship, charges due may be reduced or waived according to the scale as may be established by the Board of Supervisors.

(f) *Collections.* Billing, subscription services, and collection policies and services will be established by the Board of Supervisors. No provider mentioned in §10-60(b) above will accept or receive payment directly from a patient or on behalf of a patient for services rendered to a patient.

For state law authority, see VA. CODE ANN. §32.1-111.14 (Cum. Supp. 2005).

Editor's note: The amendments to this section adopted by the Board of Supervisors on September 5, 2006, became effective at 12:01 a.m. on September 12, 2006. Also adopted at that time and effective on September 12, 2006 was a resolution of the Board of Supervisors setting a fee schedule of rates for emergency ambulance transport services, pursuant to Sec. 10-65(a)(3) of this Code.

[THE NOVEMBER 21, 2005 ACT adopted this section.]

[THE JANUARY 3, 2006 AMENDMENT added the last two sentences in (b)(1).]

[THE SEPTEMBER 5, 2006 AMENDMENT, effective on September 12, 2006, in subsection

(b), deleted former paragraph (2) which exempted members of certain County volunteer rescue

and EMS agencies, volunteer fire departments, law enforcement agencies, and their immediate families from being billed for ambulance transport, and renumbered the subsequent paragraphs;

in subsection (c)(1), substituted "*and is a resident of or employed in Campbell County*" for "*or*

a subscription member" in the first sentence, deleted the former third sentence which had read:

"A member of the subscription program will be sent a statement showing no charges due and payable for services rendered on the date of service," and added the new third sentence; in subsection (c)(2), substituted "*and is not a resident of or employed in Campbell County*" for

"*or a non-subscription member*" in the first sentence and substituted "may be billed" for "will

be billed" in the third sentence; in (c)(3), substituted "*and is a resident of or employed in*

Campbell County" for "*optional subscription program*" in the first sentence, deleted former

second and third sentences, and added the present second sentence; in (c)(4), substituted "*and*

is not a resident of or employed in Campbell County" for "*non-subscription member*" in the

first sentence, and substituted "may be sent" for "is to be sent" in the second sentence and

"(e)" for "(f)" in the last sentence; deleted former subsection (e) entirely, which had set forth procedures for the subscription program designed to limit out-of-pocket expenses associated

with emergency ambulance transports for enrolled persons; and redesignated former (f) and

(g) as present (e) and (f).]

Secs. 10-66 to 10-79. Reserved.