

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS  
STATE OF CALIFORNIA**

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**ORDINANCE NO. 2016-01**

**ADOPTING A SCHEDULE OF FEES FOR THE RECOVERY OF  
EMERGENCY MEDICAL FIRST-RESPONDER SERVICE COSTS**

**WHEREAS**, the East Contra Costa Fire Protection District (District) has found that it does not have sufficient revenue to provide the services that it is charged with providing under the Fire Protection District Law of 1987 (California Health and Safety Code Section 13800 *et seq.*); and

**WHEREAS**, the District is authorized under Health and Safety Code Section 13916 to recover its actual costs reasonably borne in providing its services; and

**WHEREAS**, the District provides emergency medical first-responder services to both residents living within the District and to non-residents working in, visiting or travelling through the District; and

**WHEREAS**, the District has made a reasonable calculation of the costs it bears in providing emergency medical first-responder services, which costs include the District's actual costs of emergency medical personnel; and

**WHEREAS**, the emergency medical first-responder fee established by this ordinance is calculated based on recovering the District's actual costs of providing emergency medical first-responder services to each person at an incident for which such services are performed by the District.

**NOW, THEREFORE**, the Board of Directors of the East Contra Costa Fire Protection District hereby ordains as follows:

**SECTION 1. STATUTORY AUTHORITY**

This ordinance is enacted pursuant to California Health and Safety Code Sections 13910 through 13919.

**SECTION 2. APPLICABILITY**

This ordinance establishes the cost-recovery fees charged by the District in accordance with Health and Safety Code Section 13916. By adopting this ordinance, the District is enacting user fees to recover the actual costs associated with providing emergency medical first-responder services as defined in Section 3.

**SECTION 3. DEFINITIONS**

- (a) "District" means the East Contra Costa Fire Protection District.

- (b) "Emergency medical first-responder services" means care provided by District personnel at an incident including, but not limited to, oxygen therapy, injury and wound management, patient packaging, operation of an automated external defibrillator, and administration of drugs.

#### **SECTION 4. EMERGENCY MEDICAL FIRST-RESPONDER FEE**

- (a) An emergency medical first-responder fee to recover the actual and reasonable costs borne by the District in providing emergency medical first-responder services to each person is established in the amount specified in Exhibit A, attached hereto and incorporated herein.
- (b) The emergency medical first-responder fee shall be charged to each person who receives District provided emergency medical first-responder services during a single incident.
- (c) The District Board of Directors ("Board") may adjust the amount of the emergency medical first-responder fee established by this ordinance pursuant to Health and Safety Code Section 13916, with the understanding that an adjusted fee must reflect actual and reasonable costs borne by the District in providing emergency medical first-responder services.

#### **SECTION 5. FEE COLLECTION**

- (a) If the District provides emergency medical first-responder services to a person, the Fire Chief, or designee, will send an invoice seeking payment of the emergency medical first-responder fee to the person who received the service and to the insurance company that provides medical insurance coverage for the person (the "insurer"), if the person, or his or her representative, has identified to the District the insurer to which the invoice should be sent.
- (b) The Fire Chief, or designee, will develop policies and procedures for invoicing, billing, and receiving payments for each emergency medical first-responder fee charged under this ordinance. The policies and procedures will include a process to discharge from accountability accounts that are not collectible.

#### **SECTION 6. ADMINISTRATION OF THE FEE**

The Fire Chief, or designee, may delegate all or some of the tasks required for the administration of the emergency medical first-responder fee to any other public agency in Contra Costa County. Administration of the fee will consist of tasks including, but not limited to, tracking of emergency medical first-responder services provided by the District, identification of financially-responsible parties, calculation of total fees to be charged, invoicing and payment collection, and the processing of waiver requests and appeals, if permitted.

#### **SECTION 7. NO EFFECT ON EMERGENCY MEDICAL FIRST-RESPONDER SERVICES**

This ordinance neither expands nor limits emergency medical first-responder services. Nothing in this ordinance relieves the District from providing emergency medical first-responder services. Emergency medical first-responder services will continue to be provided without regard to whether a person is insured by an insurer, without regard to whether a person has the ability to pay the emergency medical first-responder fee, and without regard to whether a person has or has not paid the emergency medical first-responder fee in the past.

**SECTION 8. NO WAIVER OF OTHER MEANS OF COST RECOVERY**

This ordinance does not preclude the District from recovering its emergency response costs in any other manner authorized by law.

**SECTION 9. SEVERABILITY**

If any fee or provision of this ordinance is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining fees or provisions, and the Board declares that it would have adopted each remaining part of this ordinance irrespective of any such invalidity.

**SECTION 10. EFFECTIVE DATE**

This ordinance becomes effective 30 days after passage. Within 15 days after passage, this Ordinance or a summary of the Ordinance shall be published, with the names of Directors voting for and against it, once in the Brentwood Press, a newspaper published in this District.

**INTRODUCED** at a regular meeting of the East Contra Costa Fire Protection District Board of Directors held on the 4th day of January, 2016.

**PASSED AND ADOPTED** at a regular meeting of the East Contra Costa Fire Protection District Board of Directors held on the 1st day of February, 2016 by the following roll call vote.

- AYES: Barr, Bryant, Kenny, Morgan, Pope, Stonebarger, Young
- NOES:
- ABSENT: Michaelson, Johansen
- ABSTAIN:

  
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 Joel Bryant  
 President, Board of Directors

ATTEST:  
  
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 Hugh Henderson, Clerk of the Board

**EXHIBIT A**

**Emergency Medical First-Responder Fee Calculation**

**Total Hourly Rate**

**Personnel Costs**

Fire Captain	\$ 121.07
Fire Engineer	\$ 112.24
Firefighter	\$ 104.30

**Emergency Medical First-Responder Fee \$ 337.61**