



## CITY OF BEVERLY HILLS STAFF REPORT

**Meeting Date:** October 23, 2012  
**To:** Honorable Mayor & City Council  
**From:** Mark Embrey, Deputy Fire Chief  
**Subject:** Fire Department EMS Billing Practices  
**Attachments:** 1. Fire Department Internal EMS Billing Policy

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### INTRODUCTION

In light of a recent controversy in the City of Los Angeles over their fire department's Emergency Medical Services (EMS) billing, Vice Mayor Mirisch requested a review and discussion of the Beverly Hills Fire Department's EMS billing practices. In particular, he wanted the Council to review policies and procedures for waiving or rescinding EMS billing in special circumstances, such as treatment for injuries incurred by a "Good Samaritan" coming to the aid of another injured citizen. The Vice Mayor indicated a desire that the Council might formally support such policies.

### DISCUSSION

The issue of whether to waive or rescind billing for EMS services, based on special circumstances, has long been at the discretion of the Fire Chief or his designee. There are several obvious situations wherein billing for EMS related services reasonably should not occur, and we have determined they are non-billable. Some examples are:

- An injury due to a fall on City property – the City has a potential liability issue which could be complicated by billing for treatment
- A simple assist back to bed for an invalid patient
- Response to a person already deceased – our service did not make any difference to the outcome and billing for the response seems very insensitive
- A city employee, injured on the job – the City would be billing itself

In order to avoid many of the complaints and disputes that would undoubtedly occur from such billings that would be dismissed upon review, we allow and instruct our Paramedics to check a box on the Patient Care Report (PCR) that indicates the response/service fell into one of the pre-determined non-billable categories.

The Fire Department has an internal policy (attached), last updated in 2008, that covers Emergency Medical Services (EMS) billing, and also lists the typical call types that are routinely not billed. In our experience, this covers the vast majority of emergency medical response calls and potential topics that will generate a legitimate protest or a dispute. I have excerpted the clause regarding calls not charged for below:

*The City of Beverly Hills will **not** charge for emergency medical services provided and/or rendered to the following:*

- *Deceased/ dead body\*\**
- *Persons in Police custody*
- *Service/assist calls\*\*\**
- *AMA patients who do **not** request medical assessment, treatment or transport.*
- *Persons injured on City property*

*\*\* Includes only those incidents where BHFD personnel are called to scene to pronounce death. Does not include incidents where patient expires while receiving emergency medical care.*

*\*\*\*Charges may be assessed, at the discretion of the Fire Chief, for incidents determined to be an abuse of emergency medical services.*

We cannot of course, anticipate every type of call that might "qualify" for billing waiver or rescission, but we do have dispute resolution procedures, wherein any patient who questions why they received a bill, or the amount, can write or call and explain the circumstances they believe are extenuating: from financial hardship, to being given our services without their request, etc. The Deputy Fire Chief, as the Fire Chief's designee, personally reviews every dispute or protest letter, makes a decision and notifies the billing agency and the person who disputed/protested the bill. Some examples of typical bill waivers would be:

- An elderly person on fixed income, when Medicare denies payment
- A patient with demonstrated financial hardship, where the bill will end up in collections and neither party benefits

In the situation that occurred in Los Angeles, the paramedics who treated the Good Samaritan who became a victim likely did not know the situation causing the injury/injuries, but simply did their job and recorded their treatment on the Patient Care Report (PCR). The PCR was routed through their system as any other and resulted in a billing. The Los Angeles Fire Department states that they have no ability to alter or eliminate any EMS bill because those billing rates are set by the Los Angeles City Council, and they (LAFD) are not granted any discretion.

The Fire Chief in Beverly Hills has always exercised discretion in billing and delegates the actual review of disputes to the Deputy Chief. Our criteria for billing waivers are based on good business practice and common sense. We try not to bill when the bill is unwarranted or unjust, and will waive or rescind billing in circumstances that will cause severe financial hardship to a patient or significant damage to the City's reputation, such as the recent Good Samaritan case in Los Angeles.

Significant differences in our billing procedures, as compared to Los Angeles are the peer review of the PCR, the EMS Program Manager's (Sean Stokes) review of every PCR, and then finally the Deputy Chief's consideration of any billing dispute that occurs from a bill not already culled from the billing queue. We have waived very similar bills, when a person who was either a witness to an incident or was helping out, sustained an injury and was evaluated by our paramedics. When made aware of the circumstances, we have waived bills and apologized for them making it through the system. We can attest that in almost every case, the person disputing the bill was understanding that the "system" generates a bill, but thankful that a human being reviews the dispute, makes the right decision based on circumstances, and takes the time to call them personally and let them know the bill has been revoked/waived.

**FISCAL IMPACT**

No impact unless Council changes current practices.

**RECOMMENDATION**

Staff recommends maintaining current policies and procedures, as we believe that we have adequate review and oversight practices to prevent the occurrence of a situation similar to that which unfortunately occurred in Los Angeles. If the Council so desires, a "Good Samaritan" clause could be added to the current internal policy, waiving EMS billing for any individual injured due to his/her efforts to render aid at the scene of a medical emergency.

  
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Approved By

# **Attachment 1**



## Beverly Hills Fire Department

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### EMS BILLING PROCEDURE

#### I. Purpose

The purpose of this policy is to provide guidelines and internal controls for the process of ambulance billing for the Beverly Hills Fire Department, according to fee structures as approved by the Beverly Hills City Council.

#### II. Policy

##### Billing Criteria

The City of Beverly Hills will charge for all emergency medical services and ambulance transports provided and/or rendered to the following:

- Residents
- Non-residents
- Transients
- AMA Patients requesting and receiving medical assessment but who refuse treatment or transport.
- City employees \*

\* The City of Beverly Hills will bill only the employee's medical insurance company or Worker's Compensation Agency for services rendered. City employees will not be billed for unpaid balances.

The Fire Chief or his/her designee shall review all EMS incidents/reports prior to any billing determination

The City of Beverly Hills will not charge for emergency medical services provided and/or rendered to the following:

- Deceased/ dead body\*\*
- Persons in Police custody
- Service/assist calls\*\*\*
- AMA patients who do not request medical assessment, treatment or transport.
- Persons injured on City property



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\*\* Includes only those incidents where BHFD personnel are called to scene to pronounce death. Does not include incidents where patient expires while receiving emergency medical care.

\*\*\*Charges may be assessed, at the discretion of the Fire Chief, for incidents determined to be an abuse of emergency medical services.

### Fees:

Individuals who are treated and/or transported by the Fire Department's Emergency Medical Services personnel shall be charged for such services according to the fees approved by the City Council and the County of Los Angeles, as part of the citywide fee schedule. A copy of the paramedic/ambulance service fee schedule is attached. (Exhibit 1)

### III. Procedures

#### Collection of Reports

Paramedics and or Company Officers are responsible for submitting the EMS/Paramedic Reports to the EMS Coordinator on a daily basis after the completion of:

- Quality Assurance
- Scanning into the FireMedPro/RSI system

#### Review of Report

All EMS/Paramedic Reports submitted to the EMS Coordinator shall be put in numerical order by the date of service.

The forms shall then be reviewed to ensure they have the following information:

1. Completion and accuracy of data entry;
2. Incident Number;
3. Date of Service;
4. Patient information (e.g., patient's name, DOB, SS#, address, age, sex, etc.);
5. Mileage (Actual transport mileage rounded up to nearest whole mile.)



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### 6. Signatures

Any reports that are found to be missing pertinent information will be forwarded to the Paramedic office for completion.

#### **Sorting of Reports**

Each EMS Report contains five (5) color-coded pages. The Firefighter/Paramedics, after proofing for quality assurance, will break down the reports as follows:

- White Page (Provider Copy)
  - White Page is to be retained and placed in the appropriate tray, located in the EMS office.
  - White Pages are collected and held by Fire Administration for reference
- Red Page (Receiving Hospital)
  - Red Page is to be given to the provider who assumes care of the patient; either hospital, private ambulance, or other fire EMS provider
  - In addition to the Red Page, the correlating EKG tracing and Page 2 (Airway Page), if applicable, is to be given to the provider who assumes care of the patient; either hospital, private ambulance, or other fire EMS provider.
  - Should a patient not be transferred to another provider, but will be discharged directly from Beverly Hills Fire personnel, the Red Page should be retained for subsequent shredding.
- Yellow page (EMS Agency)
  - The Yellow Page is to be retained and placed in the appropriate slip, located in the EMS office.
  - The Yellow Pages are collected on a monthly basis for delivery to the Department of Health Services EMS Agency, 5555 Ferguson Drive, Suite 200, Commerce, CA 90022
- Blue page (Supplemental Form)
  - The Blue Page is to be retained and placed in the appropriate slip, located in the EMS office.
  - The Blue Page is retained for Continuous Quality Improvement intentions.



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- Green page (Base Hospital) –
  - The Green Page is to be retained and placed in the appropriate slip, located in the EMS office.
  - The Green Pages are collected on a monthly basis for delivery to the Base Hospital Coordinator (CSMC).

### **Copying and Filing**

After the above sorting process has been completed, the white page (Provider) report is ready to be photocopied, along with any additional documentation that may be attached (e.g., DL, SS card, medical insurance carrier card, hospital face sheet, signature authorization, etc.).

The original copy of the EMS Report will be filed with Fire Administration .

- **All report forms will be filed by the *incident date***

#### **IV. Billing Company Processing-Reconciliation**

##### **Determination of Billable Service Levels**

The billing company shall review all EMS Reports upon receipt to determine level of patient treatment/service provided and if oxygen therapies and medical supplies were utilized. After review of the EMS Reports, the billing company shall assess charges to the patient according to the City's established fee schedule. Service levels, therapies, and medical supplies, shall be billed at the following levels:

- BLS assessment and/or treatment - no BHFD transport \*\*
- ALS assessment and/or treatment - no BHFD transport \*\*
- BLS assessment and/or treatment – with BHFD transport
- ALS assessment and/or treatment – with BHFD transport
- Oxygen therapy – flat rate when utilized
- Medical supplies – billed according to usage.

\*\*When "No Transport" is indicated on the EMS Report, the billing company will review the "Comments" section to determine if the patient was assessed and/or treated or if paramedics simply assisted a patient (i.e. Service Calls). Service calls will not normally be considered billable unless the Fire Chief determines abuse of emergency services. Our



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current contractor receives billing information from the FireMedPro/RSI system. Our billing contractor is:

Wittman Enterprises, LLC.  
P. O. Box 269110  
Sacramento, CA 95826-9110

### Write Offs

In accordance with generally accepted accounting principles, the City has an obligation to write off bad debt. Certain debts cannot be collected under any circumstances, usually due to poor financial condition or inability to trace the debtor. In addition, other debts will not be collected if the cost of collection exceeds the original amount of the receivable.

On a monthly basis, Wittman Enterprises will forward non-collectable accounts to the Assistant Fire Chief/Operations for referral to a collection agency. The Assistant Fire Chief will review these accounts before they are forwarded to Finance Administration. The Finance Administration shall reconcile the accounts that are forwarded to the collection agency to ensure that all accounts are accurately recorded and resolved. All referral(s) to a collection agency shall be mailed to

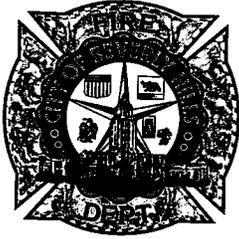
Gess & Associates  
P.O. Box 3437  
Canoga Park, CA. 91396  
(310) 548-9404

### Exemption and/or Reduction of Charges/Fees

Determination for an exemption or reduction of fees shall be made at the discretion of the Fire Chief.

In order to be considered for an exemption and/or reduction of charges or fees, the claimant must provide the following information to the Beverly Hills Fire Department.

1. A photocopy of the claimant's personal income tax form or bank statement
2. A list of monthly expenses; and



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3. A written explanation of why he/she is seeking a reduction in paramedic and/or ambulance charges at this time

Claimant should understand and agree that request for reduction of fees gives authorization to the City of Beverly Hills to check his/her credit history if deemed necessary. All items must be received by the Fire Department within 30 days after the date of the invoice. A determination on the request for an exemption and/or reduction of charges will be mailed to the claimant within 30 days of the day it was received.

### Billing Invoices from Wittman Enterprises

Invoices for billing services are based upon a rate of \$18.25 per ambulance transport submitted. Wittman Enterprises, LLC. will forward month-end invoices to Fire Administration. Fire Administration shall verify the number of transports and shall reconcile records of cash receipts (deposits) with the invoice prior to recommending payment for services rendered. After the completion of verifications, Fire Administration will process the invoice for payment.

Approved By: 

Fire Chief

9/12/12  
Date