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SPONSORED BY: Trudy Jones, by request

ORDINANCE

AMENDING THE HEALTH, SAFETY, AND SANITATION ORDINANCE

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. The Health, Safety, and Sanitation Ordinance is hereby amended as follows:

§ 9-4-4-1 SHORT TITLE.

Sections 9-4-4-1 et seq. may be cited as the [~~“EMS”~~] “[Emergency Medical Services (EMS)] Ordinance.”

§ 9-4-4-2 FINDINGS AND PURPOSE.

12 (1) The EMS system provides a satisfactory level of service to the
13 community at present.

~~(3) Potential community-sensitive improvements are available as a result of reforming the present EMS system.~~

~~(4) Reform of the present EMS system must deal with first responder, rescue, and emergency and nonemergency ambulance transportation services and address the roles and responsibilities of the service providers within a restructured system.]~~

1

1 ~~[(6)]~~[(3)] The 911 Emergency System is a basic governmental function
2 providing emergency responses through the City Police and City Fire
3 Departments.

4 ~~[(7)]~~[(4)] The City, through its 911 System, is the focal point for the receipt
5 of requests for emergency transport of sick and injured persons within the
6 City.

7 ~~[(8)]~~[(5)] The City, through its 911 System, is the focal point for the dispatch
8 of responses to requests for emergency transport of sick and injured
9 persons within the city.

10 ~~[(9)]~~[(6)] In order to provide satisfactory emergency transport of sick and
11 injured persons within the City, it is necessary to establish a procedure for
12 ambulance transport service under contract with the City.

13 ~~[(10)]~~[(7)] The provisions of this Ordinance and any regulations
14 promulgated pursuant to this Ordinance are in addition to those standards
15 and/or requirements promulgated by the state agencies as the standards
16 and/or requirements for ambulance services and prehospital providers,
17 which as minimum standards may not be sufficient for the requisite
18 standard of care in the city.

19 ~~[(11)]~~[(8)] The EMS system should ultimately be a regional system to
20 include the City, County, and other governmental entities located within the
21 county.

22 (B) The purposes of §§ 9-4-4-1 et seq. are:

23 (1) To serve the community through the promotion of clinical
24 excellence, reliable response time performance, long range stability of service,
25 and cost containment of the EMS system within the city; and

26 (2) To protect the public safety and health through prehospital
27 emergency care and to ensure consistency of ambulance transport services
28 within the city; and

29 (3) To establish reasonable rates for cost recovery in dispatching
30 functions, consumable medical supplies, and staff time of personnel assisting
31 the contractor(s) in the performance of transport duties through contractual
32 agreements with the City.

33 § 9-4-4-3 DEFINITIONS.

1 For the purpose of §§ 9-4-4-1 et seq., the following definitions shall apply
2 unless the context clearly indicates or requires a different meaning. The word
3 **SHALL** is always mandatory and not merely directory.

4 **911 EMERGENCY SYSTEM.** A publicly supported and funded system for
5 delivering **[EMS]** ~~[emergency medical services]~~, public fire protection, and law
6 enforcement.

7 **ADVANCED LIFE SUPPORT (ALS).** Advanced prehospital and interfacility
8 care and treatment including basic and intermediate life support, as
9 prescribed by state regulation, which may be performed only by a person
10 licensed as a Paramedic by the Primary Care and Emergency Medical Services
11 Bureau of the Public Health Systems Division of the New Mexico Department
12 of Health and operating under medical direction.

13 **AMBULANCE.** Any vehicle, including motor vehicles, watercraft, and
14 aircraft, assigned, used, or intended to be used to transport sick or injured
15 persons, and operated by an ambulance service certificated as such by the
16 New Mexico **[Public Regulation]** ~~[State Corporation]~~ Commission.

17 **AMBULANCE TRANSPORT PROVIDER.** Any appropriately certified and
18 contracted person providing emergency transport of sick or injured persons
19 by ambulance within the city.

20 ~~[AUTHORITY. The EMS Authority as established by §§ 9-4-4-1 et seq.]~~

21 **BASIC LIFE SUPPORT (BLS).** Prehospital and interfacility care and
22 treatment, as prescribed by state regulation, which can be performed by all
23 appropriately licensed Emergency Medical Technicians, as provided by state
24 law.

25 **BOARD.** The Medical Control Board.

26 **BUREAU.** The Emergency Medical Services Bureau of the Community
27 Health Systems Division of the New Mexico Department of Health.

28 **CHIEF.** The Chief of the Albuquerque Fire Department.

29 **CITY.** The City of Albuquerque as a governmental entity.

30 **city.** The City of Albuquerque as geographically defined.

31 **COMMISSION.** The County Commission of Bernalillo County, New Mexico.

1 **CONTRACTOR.** A provider [or providers] of emergency ambulance
2 transport services who is appropriately certified and bound by contractual
3 agreement to the City to engage in ambulance services.

4 **COUNCIL.** The governing body of the City of Albuquerque.

5 **DRIVER.** An individual who is qualified as an ambulance or rescue vehicle
6 driver.

7 **EMERGENCY MEDICAL DISPATCHER.** A person who is trained and
8 certified, pursuant to state law, to receive calls for emergency medical
9 assistance, provide dispatch life support (DLS), pre-arrival medical
10 instructions, dispatch emergency medical assistance, and coordinate its
11 response.

12 **EMERGENCY MEDICAL SERVICES (EMS).** The services rendered by
13 licensed Emergency Medical Technicians, certified Emergency Medical
14 Services First Responders or Emergency Medical Dispatchers in response to
15 an individual's need for immediate medical care in order to prevent loss of life
16 or aggravation of physical or psychological illness or injury.

17 **EMERGENCY MEDICAL SERVICES SYSTEM (EMS SYSTEM).** A
18 coordinated system of health care delivery that includes centralized access
19 and emergency medical dispatch, trained first responders, medical-rescue
20 services, ambulance services, hospital emergency departments, and specialty
21 care hospitals that respond to the needs of the acutely sick and injured.

22 **EMERGENCY MEDICAL TECHNICIAN (EMT).** A health care provider,
23 licensed as such by the Emergency Medical Services Bureau of the
24 Community Health Systems Division of the New Mexico Department of Health.

25 **MAYOR.** The Chief Executive of the City of Albuquerque.

26 **MEDICAL CONTROL.** Supervision provided by or under the direction of
27 physicians to providers by written protocol or direct communications.

28 **MEDICAL DIRECTION.** Guidance or supervision provided by a physician,
29 licensed to practice in New Mexico and Board certified in emergency medicine
30 with current experience in the practice of emergency medicine, including
31 authority over and responsibility for emergency medical dispatch, direct
32 patient care and transport of patients, arrangements for medical control, and
33 all other aspects of patient care delivered by a provider.

1 **MEDICAL DIRECTOR, ~~[EXECUTIVE]~~.** A physician, licensed to practice in
2 New Mexico and Board certified in emergency medicine with current
3 experience in the practice of emergency medicine, who is responsible for all
4 medical aspects of an EMS system dealing with the provision of patient care
5 [as defined in the New Mexico Department of Health Regulations Governing
6 Emergency Medical Services Medical Direction]. This includes the extension
7 of his or her license to prehospital providers; the development,
8 implementation, and evaluation of all medical aspects of an EMS system; and
9 other functions specified in §§ 9-4-4-1 et seq. ~~[The Executive Medical Director~~
10 ~~shall be eligible for staff privileges at all local hospitals and a faculty~~
11 ~~appointment at the University of New Mexico School of Medicine.~~

12 ~~**MEDICAL DIRECTOR, OPERATOR.** A physician, licensed to practice in~~
13 ~~New Mexico and Board certified in emergency medicine with current~~
14 ~~experience in the practice of emergency medicine, who is responsible for all~~
15 ~~medical aspects of an EMS operator dealing with the provision of patient care~~
16 ~~as defined in the New Mexico Department of Health Regulations Governing~~
17 ~~Emergency Medical Services Medical Direction.]~~

18 **OPERATOR.** Any person, firm, corporation, or public agency who is the
19 owner or proprietor of EMS response vehicles.

20 **PATIENT.** An individual who is sick, injured, wounded, or otherwise
21 incapacitated.

22 **PREHOSPITAL PROVIDER.** Any person who has the duty of caring for a
23 sick, ill, or injured person, who is certified at the EMT-Basic level or higher and
24 who is licensed by the State of New Mexico.

25 **PROTOCOL.** A predetermined, written medical care plan including
26 standing orders.

27 **RESCUE SERVICE.** Any ALS and BLS service, municipal, county, or
28 private, excluding law enforcement agencies that are not otherwise providing
29 rescue, that is subject to being dispatched to the scene of an injury or illness
30 to provide rescue and immediate emergency medical care.

31 **SUBSTANTIAL FINANCIAL INTEREST.** That at the present or in any year
32 within the past two years, a person derived more than \$1,000 per year income

1 from employment by, or business dealings with, one or more EMS operators
2 within Bernalillo County or a contracting organization of such provider.

3 § 9-4-4-4 STATE REGULATION.

4 (A) It is recognized that certain state agencies, such as the [New Mexico
5 Public Regulation] ~~[State Corporation]~~ Commission and the State EMS Bureau,
6 regulate certain ambulance services and prehospital providers in the
7 community.

8 (B) It is also recognized that certificates, permits, and/or licenses issued
9 by those state agencies can be suspended and/or revoked only by those state
10 agencies.

11 (C) It is also recognized that the establishment of rates for ambulance
12 services, certificated by the [New Mexico Public Regulation] ~~[State~~
13 ~~Corporation]~~ Commission, is solely within the purview of the [New Mexico
14 Public Regulation] ~~[State Corporation]~~ Commission.

15 (D) It is also recognized that the State EMS Bureau regulates EMS
16 Medical Direction for prehospital providers in the community.

17 (E) It is intended that any regulations promulgated pursuant to §§ 9-4-4-1
18 et seq. are in addition to those standards promulgated by the state agencies
19 as the standards for ambulance services and prehospital providers. The
20 standards promulgated by the state agencies are minimum standards which
21 may not be sufficient for the requisite standard of care in the city.

22 (F) It is intended that the city may enter into joint powers agreements
23 and other arrangements with governmental entities as may be necessary to
24 carry out the purposes of §§ 9-4-4-1 et seq.

25 ~~[EMS AUTHORITY.~~

26 ~~There is established a City of Albuquerque EMS Authority.~~

27 ~~(A) Membership, Appointment, Terms, Disclosure, and~~
28 ~~Replacement. The Authority shall consist of five at-large community~~
29 ~~members. One or more of the at-large community members shall have~~
30 ~~expertise in business finance, budgeting, and accounting. The members shall~~
31 ~~be appointed by the Mayor with the advice and consent of the Council. The~~
32 ~~Authority shall be established in an expeditious manner. No member of the~~
33 ~~Authority shall have a past or present substantial financial interest, as defined~~

1 in §§ 9-4-4-1 et seq., in any EMS system within the city or their contracting
2 organizations. The members of the Authority shall publicly disclose in writing
3 with the office of the City Clerk any substantial, past or present, financial
4 interest in any EMS system or their contracting organizations within the
5 city. The Authority shall elect its chairperson from among its members who
6 shall serve at the pleasure of the Authority. The Authority shall be convened
7 at the call of the Chairperson but shall meet not less than every two
8 months. The Authority shall operate according to the provisions of the city's
9 public boards, commissions, and committee regulations set forth in §§ 2-6-1-1
10 et seq. The terms of appointment of the initial members of the Authority shall
11 be one year for two members, two years for two members, and three years for
12 one member. Thereafter, the terms of appointment of these members shall be
13 for three years. Replacement of members shall be performed in the same
14 manner as for the initial members, provided, however, that if the County enters
15 into a joint powers agreement as defined in §§ 9-4-4-1 et seq., the Authority
16 shall be increased by two members who shall be appointed by the County
17 Commission.

18 (B) ~~Authority.~~ At a minimum, the Authority shall prepare and
19 recommend to the Mayor requirements as specified in §§ 9-4-4-1 et seq.
20 concerning the delivery of EMS which are consistent with applicable state and
21 federal laws. The Authority may recommend more stringent requirements as
22 specified in §§ 9-4-4-1 et seq. concerning EMS when deemed appropriate. The
23 Authority is charged with, and shall be responsible for, the oversight of these
24 requirements within the scope of the powers of the Authority and the
25 Executive Medical Director. The Authority shall consider the recommendation
26 from the Board on issues related to patient care and the delivery of medical
27 service. However, the Authority is responsible for the oversight of the EMS
28 system. Ambulances, acting under regulation of the State Corporation
29 Commission, shall respond within the 911 Emergency System as required by
30 the City as stipulated in specific contractual agreements. In addition, all
31 operators shall provide to the authority performance reports and statistics.

32 (C) ~~Functions.~~

- 1 1) ~~General Administration.~~ The Authority shall be responsible for the
- 2 administration of ~~§§ 9-4-4-1 et seq.,~~ shall guarantee medical control of the EMS
- 3 system through the direction of the Board, shall directly discharge all other
- 4 responsibilities concerning the nonmedical aspects of the EMS system, and
- 5 shall recommend to the Chief and the Mayor the promulgation of rules and
- 6 regulations governing EMS functions pursuant to its proper administration.
- 7 2) ~~Medical Control Board.~~ The Board shall be responsible to the
- 8 Authority for medical control functions as specified in ~~§ 9-4-4-8.~~
- 9 3) ~~Oversight and Enhancements.~~ The Authority shall provide general
- 10 oversight with regard to the operations of the EMS system and shall be
- 11 responsible for the investigation and improvement, if appropriate, of existing
- 12 EMS programs with regard to the items below. In matters related to patient
- 13 care and the delivery of medical services, especially as specified in ~~§ 9-4-4-8,~~
- 14 the Authority is expected to take direction from the Board.
- 15 (a) ~~Assuring the on-line and off-line medical control exercised by~~
- 16 ~~physicians over ambulance and emergency medical services;~~
- 17 (b) ~~Enhancing the communications and dispatch systems of the~~
- 18 ~~EMS program;~~
- 19 (c) ~~Developing, publishing, disseminating, and insuring~~
- 20 ~~compliance with written medical protocols (which are the responsibility of the~~
- 21 ~~Executive Medical Director) to serve as the required standard of care;~~
- 22 (d) ~~Establishing objectively stated and measurable performance~~
- 23 ~~standards related directly or indirectly to clinical performance and patient~~
- 24 ~~care;~~
- 25 (e) ~~Developing an emergency medical services prevention~~
- 26 ~~program;~~
- 27 (f) ~~Conducting research concerning, and evaluating the provision~~
- 28 ~~of, EMS services. This activity shall involve developing and implementing a~~
- 29 ~~unified, medical records system for EMS services;~~
- 30 (g) ~~Engaging in such other actions which would result in needed~~
- 31 ~~improvements to the operation and efficiency of the EMS system.~~

1 ~~(4) — *EMS Authority Report.* The Authority shall prepare and submit an~~
2 ~~annual report concerning its activities, finances, and the performance of the~~
3 ~~EMS system to the Council and the Mayor.~~

4 ~~(5) — *System Restructuring.* The Authority, with the assistance of the~~
5 ~~Board and the Providers Advisory Committee, shall describe the present~~
6 ~~operation of the EMS system and propose a plan to fulfill the purposes of §§ 9-~~
7 ~~4-4-1 et seq. The City Fire Department shall continue to provide EMS services~~
8 ~~to include first response, ALS, and BLS services as appropriate by medical~~
9 ~~priority dispatch within the EMS system in any proposed system~~
10 ~~restructuring. If a reform plan significantly changes the mission, roles,~~
11 ~~responsibilities, or staffing of city prehospital EMS providers, the Authority~~
12 ~~shall make recommendations to the Mayor so he may request approval from~~
13 ~~the Council of the reform plan. Should the activities of the Authority materially~~
14 ~~affect any existing EMS and ambulance service provider, the Authority shall~~
15 ~~insure that a transition planning process takes place.~~

16 ~~MEDICAL DIRECTOR; OPERATOR.~~

17 ~~(A) — Operators shall maintain medical direction pursuant to the~~
18 ~~regulations of the Primary Care and EMS Bureau of the New Mexico~~
19 ~~Department of Health, or as otherwise provided by state law. The function of~~
20 ~~an Operator's Medical Director shall include but is not limited to the following:~~

21 ~~(1) — Establishing and managing the office of the Medical Director and the~~
22 ~~day-to-day operations of the EMS Service, in matters of medical performance.~~

23 ~~(2) — Overseeing and coordinating the activities of the EMS Operator in~~
24 ~~medical performance.~~

25 ~~(3) — Acting in close cooperation with other operator's Medical Directors~~
26 ~~to establish written protocols as required by state regulation.~~

27 ~~(4) — Acting in cooperation with the Executive Medical Director.~~

28 ~~(5) — Auditing and overseeing medical issues as they pertain to training,~~
29 ~~quality improvement, and service delivery.~~

30 ~~(6) — Acting to restrict all or part of an individual's patient care activities in~~
31 ~~accordance with existing state regulations.]~~

32 ~~§ [9-4-4-7] [9-4-4-5] MEDICAL DIRECTOR [of the AHJ][; EXECUTIVE]~~

- 1 [(A) Shall maintain medical direction pursuant to the regulations of the
2 Primary Care and EMS Bureau of the New Mexico Department of Health, or
3 as otherwise provided by state law.]
- 4 ~~[(A)]~~ [(B)] The functions of the Executive Medical Director [of the AHJ]
5 include but are not limited to the following:
- 6 ~~[(1) Establishing and managing the office of the Authority.]~~
7 ~~[(2)]~~ [(1)] Managing the day-to-day activities of the EMS system pursuant to
8 protocols written by the [Medical Control] Board [(hereinafter "Board")]
9 ~~[recommended by the Authority, as approved by the Executive Medical~~
10 ~~Director.]~~
- 11 ~~[(3)]~~ [(2)] Acting to restrict all or part of an individual's patient care activities
12 in accordance with existing state regulations.]
- 13 ~~[(4)]~~ [(3)] Liaison with, oversee, and coordinate the activities of the EMS
14 providers.
- 15 ~~[(5)]~~ [(4)] Taking direction from and being responsible to the Board
16 concerning matters related to patient care and the delivery of medical
17 services.
- 18 ~~[(6)]~~ [(5)] Acting as a member and chairperson of the Board.
- 19 ~~[(7)]~~ [(6)] ~~[Acting as a member of]~~ [Provides Board report to] the Providers
20 Advisory Committee.
- 21 ~~[(8) Acting as the Operator Medical Director, if requested, for any of the~~
22 ~~services within the EMS system with the powers, duties, and~~
23 ~~responsibilities appropriate to that position.]~~
- 24 ~~[(9)]~~ [(7)] Acting as a liaison with physicians, nurses, other health care
25 professionals, and the public at large.
- 26 [(8) Auditing and overseeing medical issues as they pertain to training,
27 quality improvement, and service delivery.]
- 28 ~~(10) Directing the performance of medical audits.~~
- 29 ~~[(11)]~~ [(9)] Performing other duties as designated by the Mayor [Fire Chief]
30 or his designee.
- 31 ~~[(12)]~~ [(10)] Acting as a liaison between the EMS system and local
32 community, medical facilities, and regional/state medical directors.
- 33 ~~[(13)]~~ [(11)] Providing educational opportunities when appropriate.

1 ~~[(B) The Executive Medical Director shall be a full-time position. During~~
2 ~~periods when the Executive Medical Director position is vacant, the~~
3 ~~Authority will request Operator Medical Directors to act in the capacity of~~
4 ~~the permanent Executive Medical Director on a rotating basis for a period~~
5 ~~of no less than six months. The Executive Medical Director of the AHJ shall~~
6 ~~be an independent contractor and shall comply , however, with the City~~
7 ~~purchasing ordinance. The Executive Medical Director position and all~~
8 ~~related expenses shall be paid by the governmental and private entities~~
9 ~~who come under this ordinance on a pro rata basis as determined by the~~
10 ~~number of emergency medical technicians utilized by the respective entity.~~

11 § ~~[9-4-4-8]~~ [9-4-4-6] MEDICAL CONTROL BOARD.

12 (A) *Membership and Terms.* The members shall consist of licensed
13 physicians engaged in the practice of emergency medicine. The membership
14 of the Board shall consist of [one] ~~[the]~~ emergency department [physician]
15 ~~[medical director]~~ or his designee from each hospital organization operating a
16 full service, 24-hour emergency department in the city. ~~[The Executive~~
17 ~~Medical Director shall serve as a member and chairperson of the Board.]~~ The
18 Board shall meet no less than once every two months as determined by its
19 membership. Members [other than the Medical Director of the AHJ] shall have
20 staggered terms, and the term of appointment shall be for two years~~[, and~~
21 there shall be no limit on consecutive terms. The Medical Director of the AHJ
22 shall serve as a member and chairperson of the Board without term of
23 appointment.]

24 (B) *Functions.* The Board shall be responsible ~~[to the Authority]~~ for all
25 aspects of medical control related to patient care and the delivery of medical
26 services. The Board shall meet at the call of its Chairperson. The Board shall
27 address the following matters but not be limited to these topics:

28 (1) Medical control over the delivery of EMS and ambulance services
29 including the medical control communication system.

30 (2) The effectiveness of the EMS dispatch communication system.

31 (3) Medical protocols (which are the responsibility of ~~[the Executive~~
32 ~~Medical Director]~~ [all Board members]) to serve as the required standard of
33 care as required by state regulation.

- 1 ~~[(4) Measurable performance standards related directly or indirectly to~~
- 2 ~~clinical performance and patient care.~~
- 3 ~~(5) Research and evaluation of the provision of EMS services, including~~
- 4 ~~the establishment of a unified medical records system for the EMS system.~~
- 5 ~~6) An emergency medical services prevention program.]~~

6 (C) *Medical Audits.* The Board shall perform medical audits with regard
7 to the provision of EMS when requested by the Medical Director ~~[of the AHJ.] [,~~
8 ~~by any doctor involved in the case, by the Authority, or when in the Board's~~
9 ~~discretion it is determined that a specific incident merits investigation. The~~
10 ~~Board shall establish procedures for taking complaints and acting in an~~
11 ~~expeditious manner upon them. The Authority shall determine whether a~~
12 ~~regular program of conducting medical audits as a service monitoring~~
13 ~~procedure is warranted.]~~

14 § ~~[9-4-4-9]~~ [9-4-4-7] PROVIDERS ADVISORY COMMITTEE.

15 The Mayor shall appoint a Providers Advisory Committee. The Mayor shall
16 appoint one representative to the Committee from each EMS operator within
17 the city and two representatives of all Emergency Medical Technicians (EMTs)
18 employed by or providing services for these service providers. [The Mayor]
19 ~~[He]~~ shall appoint one EMT employed by the City Fire Department and one
20 EMT employed by providers of ambulance services. The Providers Advisory
21 Committee shall assist ~~[the Authority and]~~ the Board in the performance of
22 their duties through advice and consultation. The Committee shall meet at the
23 call of its chairperson upon the request of the Board. Initial members shall
24 have staggered terms and, thereafter, the term of appointment shall be for two
25 years~~[, and there shall be no limit on consecutive terms]~~. ~~[If the County enters~~
26 ~~into a joint powers agreement pursuant to § 9-4-4-4(F),]~~The Committee shall
27 [include] ~~[be increased by]~~ two members who shall be appointed by the
28 County Commission. The Providers Advisory Committee shall elect its
29 chairperson from among its members.

30 § ~~[9-4-4-10]~~ [9-4-4-8] 911 SYSTEM.

31 The 911 System shall be the focal point for:

- 32 (A) Receipt of all requests for assistance for and emergency transport of
- 33 sick and injured persons.

(B) Dispatch of all responses to requests for assistance and emergency transport of sick and injured persons.

§ ~~[9-4-4-11]~~ [9-4-4-9] PROCEDURES FOR BEING INCLUDED IN THE 911 SYSTEM.

(A) The Mayor shall enter into [a] [at least one] contractual agreement with an operator to provide emergency transport ambulance services in the city pursuant to the 911 system. The application and request for proposal for such contract[s] shall be subject to the City purchasing regulations.

~~[(B)—The Board shall review all applications and make recommendations to the Mayor.]~~

~~[(C)]~~[(B)] There shall be [at least] one contract awarded to provide emergency transport ambulance services[.] ~~[, provided, however, that if the county enters into a joint powers agreement pursuant to § 9-4-4-4, there may be more than one contract.]~~

§ ~~[9-4-4-12]~~ [9-4-4-10] PROCEDURES FOR RESPONSES TO REQUESTS FOR EMERGENCY TRANSPORT.

(A) The City through coordinated dispatch shall:

(1) Receive, evaluate, and categorize all requests for emergency transport of sick and injured persons within the community.

(2) Dispatch appropriate Fire Department response.

(3) Notify ambulance operator as to location and nature of call pursuant to written protocols prepared by the Medical Control Board.

(4) Take control of patient and scene and provide for patient care until [care is transferred to a] contracted [emergency transport ambulance service] ~~[transportation is available].~~

(5) Continue patient care during transport when appropriate or upon the request of a contractor.

(6) Transport patients when medically necessary [or when a contracted ambulance service is either delayed or unavailable] ~~[when so determined by on-line medical control or previously written protocol].~~

(B) The ambulance transport provider[s] shall respond to any request for emergency transport of sick or injured persons which has been referred to the ambulance provider by the City, pursuant to contract with the City.

~~1 [§9-4-4-13] AMBULANCE SERVICE PROVIDERS WHO ARE CERTIFICATED TO~~
~~2 PROVIDE EXCLUSIVELY NONEMERGENCY TRANSPORTATION.~~

~~3 — Because the services provided by holders of exclusively nonemergency~~
~~4 ambulance certificates may be varied and include operations which do not~~
~~5 require the participation of EMTs, the Authority shall regulate these providers~~
~~6 in a distinct and appropriate manner which is not burdensome to them. The~~
~~7 Authority shall regulate these services only with regard to the provision of~~
~~8 ambulance services which require the assistance of an EMT.]~~

9 § ~~[9-4-4-14]~~ [9-4-4-11] JUDICIAL REVIEW.

10 All actions for judicial review must be filed within 30 days of receipt of
11 notice of the determination in the Second Judicial District Court in Bernalillo
12 County. All determinations made by the Mayor shall be sustained unless
13 arbitrary, capricious, contrary to law, clearly erroneous, or not based upon
14 substantial evidence.

15 § 9-4-4-99 PENALTY.

16 Any person who violates § 9-4-4-5(C)(5) shall be deemed guilty of a petty
17 misdemeanor and, upon conviction thereof, shall be subject to the penalty
18 provisions set forth in § 1-1-99 of this code of ordinances. Every violation
19 shall be a separate misdemeanor. Each day such violation is committed or
20 permitted to continue shall constitute a separate offense and shall be
21 punishable as such hereunder. ('74 Code, § 6-28-13) (Ord. 9-1993)

22 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
23 clause, word, or phrase of this ordinance is for any reason held to be invalid
24 or unenforceable by any court of competent jurisdiction, such decision shall
25 not affect the validity of the remaining provisions of the ordinance. The
26 Council hereby declares that it would have passed this ordinance and each
27 section, paragraph, sentence, clause, word, or phrase thereof irrespective of
28 any provisions being declared unconstitutional or otherwise invalid.

29 SECTION 3. COMPILATION. This ordinance shall be incorporated in and
30 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

31 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days
32 after publication by title and general summary.

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CITY OF ALBUQUERQUE
Albuquerque, New Mexico
Office of the Mayor

Mayor Richard J. Berry

INTER-OFFICE MEMORANDUM

December 20, 2016


TO: Isaac Benton, President, City Council
FROM: Richard J. Berry, Mayor *RJB*
SUBJECT: REQUESTING REVISION OF THE EMS ORDINANCE

The Albuquerque Fire Department is requesting revision of the Emergency Medical Services Ordinance. The EMS system in the City of Albuquerque has evolved since the last revision of the Ordinance.

This ordinance is forwarded to the Council for consideration and action.

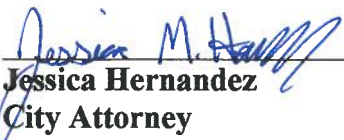
**Legislation Title: AMENDING THE HEALTH, SAFETY, AND SANITATION
ORDINANCE**

Recommended:



Robert J. Perry **Date**
Chief Administrative Officer

Approved as to Legal Form:



Jessica Hernandez **Date**
City Attorney

NHB 10/21/2016

Recommended:



David Downey **Date**
Fire Chief

Cover Analysis

1. What is it?

Revision of the Health, Safety, and Sanitation Ordinance, specifically the Emergency Medical Services Ordinance

2. What will this piece of legislation do?

Revise the EMS Ordinance so that it reflects current EMS system structure and operations

3. Why is this project needed?

The EMS system in the City of Albuquerque has evolved since the last revision of the EMS Ordinance in 1999. Medical Direction and ambulance transport services have evolved.

4. How much will it cost and what is the funding source?

There is no cost associated with this change.

5. Is there a revenue source associated with this contract? If so, what level of income is projected?

There is no revenue source associated with this change.

FISCAL IMPACT ANALYSIS

TITLE: Revision of EMS Ordinance

Legislation Type: Ordinance
FUND:

Fire Department

- ☐ No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- ☐ (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2017	Fiscal Years 2018	2019	Total
Base Salary/Wages				-
Fringe Benefits at (use applicable rate from OMB)				-
Subtotal Personnel	-	-	-	-
Operating Expenses	-	-	-	-
Property	-	-	-	-
Indirect Costs 4.10%	-	-	-	-
Total Expenses	\$ -	\$ -	\$ -	\$ -
<input type="checkbox"/> Estimated revenues not affected				
<input type="checkbox"/> Estimated revenue impact				
Amount of Grant	-	-	-	-
City Cash Match (110)	-	-	-	-
Department (210)	-	-	-	-
City In-kind Match	-	-	-	-
City IDOH	-	-	-	-
Total Revenue	\$ -	\$ -	\$ -	\$ -

Number of Positions created 0

COMMENTS: Revision of the EMS Ordinance.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:
(Enter all other comments)

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