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**THE COUNCIL**

**BRIEFING PAPER AND COMMITTEE REPORT OF THE GOVERNMENTAL AFFAIRS DIVISION**

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**COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT**

**Joseph C. Borelli, Chairman**

April 15, 2019

**OVERSIGHT: FDNY Ambulance Costs**

**Int. No. 1475:** By Council Members Ulrich, Borelli and Rosenthal

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on ambulance transport costs.

**Admin Code:** Adds section 15-132

1. **INTRODUCTION**

On April 15, 2019, the Committee on Fire and Emergency Management, Chaired by Joseph C. Borelli, will hold a hearing on New York City Fire Department (“FDNY” or “Department”) ambulance costs. In addition to the oversight portion, the Committee will hear introduction number 1475 (“Int. No. 1475”), a local law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on ambulance transport costs. Those invited to testify include representatives of FDNY Bureau of Emergency Medical Services (“EMS”), the Regional Emergency Services Medical Council of New York City, numerous fire and emergency service worker unions, community groups and other interested parties.

1. **BACKGROUND**

The FDNY’s core responsibility and expertise has evolved from an exclusive emphasis on fighting traditional structural fires and providing pre-hospital care to an expanded role in handling all types of emergencies. These emergencies include hazardous materials incidents, building collapses, transportation accidents, utility-related emergencies, natural disasters, extensive medical responses and acts of terrorism, throughout the City.[[1]](#footnote-1) Currently, EMS is responsible for delivering ambulance and pre-hospital emergency medical services Citywide. According to the Department, since FDNY became responsible for EMS, the only ambulances routinely dispatched via the City’s Emergency 9-1-1 system (“9-1-1 system”) are municipal ambulances and voluntary hospital-based ambulances under contract with the City.[[2]](#footnote-2) Although community based volunteer ambulances respond to medical emergencies, they are not routinely dispatched via the 9-1-1 system.[[3]](#footnote-3) According to the most recent numbers published by the FDNY, there are currently 37 EMS stations Citywide and approximately 4,400 EMS personnel on staff.[[4]](#footnote-4) During Fiscal Year 2018, FDNY and EMS responded to approximately 1.5 million medical emergencies including 568,737 life-threatening incidents.[[5]](#footnote-5)

The two main types of ambulances that operate in New York City are Advanced Life Support ambulances (“ALS”), which are staffed by two paramedics, and Basic Life Support ambulances (“BLS”), which are staffed by two emergency medical technicians (EMTs). Paramedics receive 1,500 hours of training whereas EMTs are only required to complete 120 to 150 hours.[[6]](#footnote-6) The higher level of training received by paramedics allows them to perform advanced medical procedures, including patient intubation and the administration of drugs.[[7]](#footnote-7) Medical emergency calls received by the 9-1-1 system are categorized according to the nature of the call, with the basic distinction being whether there is a need for an ALS (life threatening incident) or BLS (non-life threatening incident) response.[[8]](#footnote-8) According to EMS, there were 745,696 ALS and 1,012,545 BLS incidents in calendar year 2018.[[9]](#footnote-9) ALS incidents include such calls as cardiac arrest, choking, difficulty breathing, unconsciousness, and other serious life threatening medical emergencies. BLS incidents include a wide variety of non-life threatening conditions. The total number of ambulance runs during calendar year 2018 was 1,862,159.[[10]](#footnote-10)

1. **THE COST OF FDNY AMBULANCE SERVICES**

 The FDNY sets a schedule of charges for New York City ambulance transport service. On March 12, 2017, the FDNY updated their charges as follows: (i) Basic Life Support Ambulance $775.00; (ii) Advanced Life Support Level 1 Ambulance Service $1,310.00; and (iii) Advanced Life Support Level 2 Ambulance Service $1,420.00.[[11]](#footnote-11) There are additional charges for mileage (distance traveled to hospital) that amount to $15.00 per mile and the provision of oxygen (as applicable), which costs $66.00.[[12]](#footnote-12) For those individuals who cannot afford the ambulance costs, the FDNY operates a *Charitable Care Policy*.

 Under the FDNY’s *Charitable Care Policy* individuals who fall below the federal poverty line can apply for relief from financial obligations arising from ambulance transportation in an FDNY-EMS vehicle.[[13]](#footnote-13)  The application for relief must be completed and submitted to the FDNY, accompanied by proof of family income.[[14]](#footnote-14) Once the FDNY receives the application, it reviews, and either approves or declines based on the documentation provided.[[15]](#footnote-15) The applicant is then notified whether they are approved by mail.[[16]](#footnote-16) If approved, the notification will inform the applicant as to the reduced amount owed. If denied, the patient is responsible for the current balance due.[[17]](#footnote-17)

 **IV. ANALYSIS OF INT. NO. 1475**

 This legislation requires the Fire Department to submit quarterly reports to the Council relating to ambulance transport costs and their *Charitable Care Policy*. The information contained in the report, as well as posted to the Department’s website, would include: (i) the total number of ambulance transports conducted by FDNY-EMS; (ii) the total number of times the Department sought reimbursement from a third-party for an ambulance transport and the source of such reimbursement; (iii) the total number of patients who received bills from the Department and the average amount for such bills; and (iv) the number of times the Department received applications and approved applications for relief pursuant to the *Charitable Care Policy*.

1. **ISSUES AND CONCERNS**

 The Committee seeks to examine how the Department handles requests for their *Charitable Care Policy*. More specifically, the Committee is interested in the number of applications the Department receives each year, the reasons for denial, and the rate at which such applications are granted. Furthermore, the committee wishes to look into the financial burden emergency medical services place on New Yorkers above the federal poverty line, but for whom medical expense can strain financial stability.

Int. No. 1475

By Council Members Ulrich, Borelli, and Rosenthal

..Title

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on ambulance transport costs

..Body

Be it enacted by the Council as follows:

Section 1. Title 15 of the administrative code of the city of New York is amended by adding a new section 15-132 to read as follows:

§ 15-132. Ambulance Transport Costs. a. Definitions. For the purpose of this section the term “charitable care policy” means the department’s charitable care policy for ambulance transports, or any successor program, through which an individual can apply to receive a sliding scale fee for ambulance transport based on that individual’s financial means.

b. No later than January 1, 2019, and within fifteen days after the beginning of each subsequent quarter, the department shall submit to council and post on its website a report relating to ambulance transport fees and the department’s charitable care policy. Such report shall include, but not be limited to, the following information for the prior quarter: 1. the number of ambulance transports conducted by the department’s bureau of emergency medical services; 2. the number of times the department sought reimbursement from a third party entity for an ambulance transport, disaggregated by the source of reimbursement and whether such reimbursement was provided; 3. the number of ambulance transports resulting in a patient receiving a bill or request for payment from the department and the average amount of such bills; 4. the number of applications that the department received for patients seeking relief under the department’s charitable care policy; and 5. the number of such charitable care policy application granted.

§ 2. This local law takes effect immediately after it becomes law.

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1. FDNY Strategic Plan found at http://www.nyc.gov/html/fdny/pdf/pr/2004/strategic\_plan/responsibilities.pdf. [↑](#footnote-ref-1)
2. Letter from Caroline Kretz, Associate Commissioner Intergovernmental Affairs, N.Y. City Fire Dep’t, to Elizabeth S. Crowley, Chair, Comm. on Fire & Criminal Just. Servs., N.Y. City Council, Feb. 11, 2010. [↑](#footnote-ref-2)
3. New York City Council Fire and Criminal Justice Services ooversight hearing transcript- The FDNY and its Utilization of Neighborhood Volunteer Ambulances, Feb. 23, 2010. [↑](#footnote-ref-3)
4. FDNY Vital Statistics 2016 Calendar Year at <https://www1.nyc.gov/assets/fdny/downloads/pdf/vital_stats_2016.pdf> [↑](#footnote-ref-4)
5. 2018 Mayor’s Management Report at <https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2018/fdny.pdf> [↑](#footnote-ref-5)
6. Bernard O’Brien, *Two Paramedics on an Ambulance—Only in New York*, IBO Web Blog, Jul. 27, 2009, http://ibo.nyc.ny.us/cgi-park/?p=77. [↑](#footnote-ref-6)
7. *Id* [↑](#footnote-ref-7)
8. FDNY Citywide Performance Indicators -<https://www1.nyc.gov/assets/fdny/downloads/pdf/about/citywide-stat-2018-annual-report.pdf> [↑](#footnote-ref-8)
9. *Id* [↑](#footnote-ref-9)
10. *Id* [↑](#footnote-ref-10)
11. § 4900-02 Schedule of Charges for Fire Department Ambulance Transport Service fee schedule at <https://www1.nyc.gov/assets/fdny/downloads/pdf/about/fee-schedule-ambulance.pdf> [↑](#footnote-ref-11)
12. *Id* [↑](#footnote-ref-12)
13. FDNY Charitable Care Policy at <https://www1.nyc.gov/site/fdny/about/resources/policy-and-agreements/charitable-care-policy.page>. [↑](#footnote-ref-13)
14. *Id* [↑](#footnote-ref-14)
15. *Id* [↑](#footnote-ref-15)
16. *Id* [↑](#footnote-ref-16)
17. *Id* [↑](#footnote-ref-17)