

Mayor and Council Communication

DATE: 02/25/25

M&C FILE NUMBER: M&C 25-0172

LOG NAME: 36FD EMS ILA

SUBJECT

(ALL) Adopt a Revised Emergency Medical Services Ordinance to be Effective July 1, 2025, and Authorize Execution of Interlocal Agreements with Other Local Jurisdictions to Authorize Fort Worth to Operate as the Licensed Emergency Medical Services Provider and Furnish EMS System Services in Each Jurisdiction

RECOMMENDATION:

It is recommended that City Council:

1. Adopt the attached revised Emergency Medical Services Ordinance, to be effective July 1, 2025, which will replace the City's current ordinance and serve as the uniform Emergency Medical Services Ordinance for all jurisdictions wishing to receive Emergency Medical Services from Fort Worth; and
 2. Authorize the execution of Interlocal Agreements with each local jurisdiction that elects to receive Emergency Medical Services System Services from the City of Fort Worth, subject to a requirement that each such jurisdiction adopt the Emergency Medical Services Ordinance and authorize the City of Fort Worth to operate as that jurisdiction's licensed Emergency Medical Services Provider and to furnish EMS System Services, within such jurisdictions.
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DISCUSSION:

In 1988, the City of Fort Worth (City) and certain other local municipalities came together to create a regional ambulance and emergency medical services (EMS) agency known as the Area Metropolitan Ambulance Authority, d/b/a Medstar, (Authority) through the adoption of a uniform EMS ordinance and interlocal cooperative agreement under the provisions of Section 773.051 of the Texas Health and Safety Code and chapter 791 of the Texas Government Code.

Beginning in 2020, the Authority (now known as the Metropolitan Area EMS Authority and operating under the trade name MedStar Mobile Healthcare) operated under a Restated and Amended Interlocal Cooperative Agreement (Fort Worth City Secretary Contract No. 54348; hereinafter, the Agreement) and an updated uniform EMS ordinance. The Agreement provided that the Authority would continue in existence until all participating units of government (Member Cities) withdrew from the Agreement.

Pursuant to the Memorandum of Understanding and Agreement (MOUA) executed by all Member Cities and effective December 31, 2024, all Member Cities agreed to: withdraw from and terminate the Agreement; dissolve the Authority; and designate the City as the licensed EMS Provider for the Member Cities. Pursuant to the MOUA, the Authority continues to exist, operate, and serve as the EMS Provider for the Member Cities, under the management and control of the City, in a limited, transitional capacity until at least July 1, 2025 (Transition Period).

It remains in the best interests of the public health and welfare of the people of the Member City jurisdictions to have available to them a regulated EMS System with an exclusively contracted EMS Provider. Therefore, the City has established an EMS division through the City of Fort Worth Fire Department to operate a new EMS System and provide services to the people of the jurisdictions who execute an EMS Interlocal Agreement with the City and adopt a new uniform EMS ordinance, each a "Client City."

The City is engaging a physician who is licensed in Texas and board certified in emergency medicine to serve as the Chief Medical Officer and Medical Director for the City's EMS system (Medical Director). And, by and through Ordinance No. 27372-12-2024, adopted by the City Council on December 10, 2024, the City established a new department, the Department of Office of the Medical Director, which shall be responsible for serving as the clinical office through which the Medical Director carries out his or her rights, duties, and obligations under the City's Uniform EMS Ordinance and the City's EMS Interlocal Agreements.

The purpose of this Mayor & Council Communication (M&C) is to authorize the City to execute the EMS Interlocal Agreements with each Client City, as contemplated by the MOUA. The EMS Interlocal Agreements will govern the relationship between the City and each Client City and authorize the City to serve as the licensed EMS Provider and exclusive provider of certain EMS services within each Client City's jurisdiction beginning July 1, 2025 and upon the City receiving its EMS provider license from the Department of State Health Services, whichever occurs later. With the approval of this M&C, the City will execute an EMS Interlocal Agreements with the following cities:

- Blue Mound;
- Edgecliff Village;
- Forest Hill;
- Haltom City;
- Haslet;
- Lake Worth;
- Lakeside;
- Richland Hills;

- River Oaks;
- Saginaw;
- Sansom Park;
- Westover Hills;
- Westworth Village; and
- White Settlement.

In addition to serving as the licensed EMS Provider for each Client City, the EMS Interlocal Agreements require the City to, among other things: set system performance standards in accordance with protocols established by its Medical Director, provide each Client City with “EMS System services” which include: out-of-hospital EMS, non-emergency medical services, life, or limb, threatening emergency, low acuity emergency, and Advanced Life Support and Basic Life Support unscheduled Medical Transportation and Ambulance Service, and mobile integrated healthcare services; obtain the services of an independent medical director; create two advisory boards known as the EMS Advisory Board and Medical Control Advisory Board; provide quarterly written reports of the operational performance of the EMS System to each Client City and the advisory boards; provide quarterly comprehensive reviews of the budget and clinical performance of the system; and manage the billing, subscriptions, and payment practices. The City will not be the exclusive provider of interfacility transportation services.

The term of each EMS Interlocal Agreement is for 10 years beginning July 1, 2025 and will renew automatically for successive 10-year terms unless earlier terminated in accordance with the terms of the EMS Interlocal Agreement. The above notwithstanding, one Client City, Edgecliff Village, has requested an initial term of 5 years, with successive 5 year renewal terms.

The EMS Interlocal Agreements obligate the City and each Client City to fund the EMS System using the fully loaded unit hour cost (UHC) allocation strategy. This method will require the City to: (1) determine the total number of consumed unit hours in the EMS System; (2) determine the public funding needed by calculating the total expenditures less total revenues; (3) determine the residual consumed UHC by dividing the total public funding required for the EMS System (step 2) by the total consumed hours in the entire EMS System; (4) determine the consumed unit hours by each jurisdiction; and (5) determine the cost allocation for each jurisdiction by multiplying the total consumed unit hours in the jurisdiction (step 4) by the residual consumed UHC (step 3). The actual unit hours consumed on a 911 call will be based on the number of minutes spent on the call, not including time spent posting or stationed, in a particular jurisdiction. The total time for calls within a Client City's jurisdiction will be aggregated on a fiscal year basis (October 1 through September 30) and for purposes of calculating the annual UHC for a Client City, the annual hours consumed by the Client City will be rounded up or down to the nearest one (1) hour increment. Payment for each fiscal year shall initially be based on a projected budget and projected utilization with a true-up process in the subsequent fiscal year to ensure final payment for each year ultimately reflects actual costs and utilization.

In addition to authorizing the execution of the EMS Interlocal Agreements, approval of this M&C will adopt the attached Uniform EMS Ordinance (Ordinance). The purpose of the Ordinance is to replace the existing Uniform EMS Ordinance which designates the Authority as the exclusive EMS Provider within the City. The Ordinance will designate the City as the exclusive EMS Provider of the City's EMS System Services within the City's corporate limits and of those Client City's who also adopt the Ordinance. In addition to the above, the Ordinance will require other EMS providers to register with the City and obtain a permit in order to operate interfacility transportation services within the corporate limits of the City and of those City's who adopt the Ordinance.

Under the Ordinance, it is unlawful, among other things, to knowingly give false information to induce the dispatch of an ambulance or to use or cause to be used any ambulance service other than the City (except in an expressly authorized manner). If found guilty of a Class C Misdemeanor for a violation as set out in the Ordinance, a person shall be punished by a fine not to exceed \$500.00 per violation.

These contracts will be with a governmental entity, state agency or public institution of higher education: Other local governments.

These agreements will serve ALL COUNCIL DISTRICTS.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and execution of the agreements funds will be deposited into the Emergency Medical Services Fund. The Fire Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City.

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Additional Information Contact: