

**ORDINANCE 24-01**

**WASHINGTON COUNTY ORDINANCE AUTHORIZING DIRECTOR OF THE  
WASHINGTON COUNTY AMBULANCE SERVICE TO BILL FOR SERVICES  
AND COLLECT UNPAID AMOUNTS DUE FROM PATIENTS**

**WHEREAS**, the State of Iowa adopted code section 421.65 giving the Iowa Department of Revenue authority to set off against public payments qualifying debts owed to a public agency; and

**WHEREAS**, the county and its ambulance service are a public agency eligible to participate in the setoff program; and

**WHEREAS**, the county's ambulance service sets reasonable, appropriate, market-based rates that it uses, applies, and charges for services rendered to patients; and

**WHEREAS**, the county's ambulance service charges fees for its services and then collects unpaid amounts due, including any and all amounts due that have not been paid by insurance, to patients by sending bills to patients and by contacting patients regarding the amounts owed to the ambulance service for the care patients received and for the services rendered by the ambulance service; and

**WHEREAS**, the county's ambulance service collects from its patients any liquidated sum certain, owing, and payable to the county's ambulance service, with respect to which the ambulance service has provided the obligor an opportunity to protest or challenge the sum in a manner in compliance with applicable law and due process, and which has been determined as owing through the challenge or protest, or for which the time period provided by the ambulance service to challenge or protest has expired; and

**WHEREAS**, after the county's ambulance service attempts to collect a debt from a patient but the debt remains unpaid, then the county's ambulance service also takes further steps to continue to try to recover the unpaid amounts due and owing; and

**WHEREAS**, in situations where the county's ambulance service has attempted to collect a debt from a patient, but the debt remains unpaid, the further methods of collection include but are not limited to referring unpaid bills and patient accounts to a third-party debt collection agency and also sending notices to the Iowa Department of Revenue for participation in the State's Setoff Program; and

**WHEREAS**, it is in the best interests of Washington County and its residents to specifically authorize the ambulance service to determine and set its fee schedule and to then use that fee schedule and apply it when charging fees for its services and when billing its patients, so that Washington County can continue to finance, fund, and operate its ambulance service in part with the money collected from patients; and

**NOW THEREFORE BE IT ORDAINED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS**, as follows:

- 1. Codification:** Chapter of the Washington County Iowa Code of Ordinances is amended to add this new Article titled, "WASHINGTON COUNTY AMBULANCE SERVICE BILLING AND COLLECTIONS"

2. **Purpose:** The purpose of this ordinance is to authorize the Washington County Ambulance Service to:
  - a. Establish and set its schedule of fees by setting pricing and determining how much services cost
  - b. Update, modify, or change its schedule of fees as often as necessary, as determined by and within the sole discretion of the director and the director's staff
  - c. Charge fees for its services to its patients
  - d. Determine how much to bill patients and what to charge to patients
  - e. Assess charges, fees, and amounts due to patients by billing the patients
  - f. Engage in debt collection activities to collect the unpaid amounts from the patients as well as from any other relevant third parties that may be involved such as insurance companies
  - g. Participate in the Iowa Department of Revenue's Setoff in compliance with Iowa Code section 421.65
  - h. Participate and appear in legal actions by
    - i. Filing legal claims or cases against patients to collect unpaid bills and debts, and
    - ii. Defend against any or all actions or claims filed by patients against the ambulance service, including but not limited to actions for wrongful setoff, probate of estates, bankruptcy, or receivership.
3. **Applicability:** This ordinance shall apply to any and all fees or bills charged to patients by the Washington County Ambulance Service and is intended to comply with Iowa Code section 421.65 and any other Iowa Code section that provides for the State collection of debts owed to public agencies.
4. **Reasonable Fees:** The Washington County Ambulance Service shall set reasonable, appropriate, and competitive market-based rates it charges for services rendered to patients. The director and the director's staff are authorized to update, modify, or change its schedule of fees as often as necessary, as determined by and within the director's sole discretion. Payment of fees shall be made to the Washington County Ambulance Service and reported to the Board of Supervisors on an annual basis in the usual and normal course of reporting money collected for the benefit of the Washington County Ambulance Service.
5. **Responsibility:** The Director of the Washington County Ambulance Service shall be responsible for developing and implementing policies, procedures, and protocols to ensure emergency medical services provided are charged, billed, and collected in compliance with applicable laws, regulations, and standards. The Washington County Ambulance Service may collect any liquidated sum certain, owing, and payable to the Washington County Ambulance Service, with respect to which the ambulance service has provided the obligor an opportunity to protest or challenge the sum in a manner in compliance with applicable law and due process, and which has been determined as owing through the challenge or protest, or for which the time period provided by the ambulance service to challenge or protest has expired.

6. **Notice:** The Washington County Ambulance Service will send a notice to patient obligors stating any liquidated sum certain, owing, and payable to the Washington County Ambulance Service. The ambulance service will provide the obligor with an opportunity to protest or challenge the sum in a manner in compliance with applicable law and due process.

Patient obligors who wish to dispute or challenge their bill must submit their dispute in writing to the Washington County Ambulance within fifteen (15) days after the Washington County Ambulance Service has mailed the notice of patient's options to dispute or challenge the patient's bill (the invoice due and payable to Washington County Ambulance Service). If the patient obligor submits a written contest or dispute to the Washington County Ambulance Service, then the Washington County Ambulance shall respond within thirty (30) days after receiving the party's challenge or dispute and indicate:

- a. The time when the County will review the relevant facts of the challenge with the obligor; and
  - b. A statement to the obligor that an alternative time may be set at the request of the obligor; and
  - c. A statement to the obligor that if the obligor does not participate in the review at the scheduled time and an alternative time is not requested and approved, the review shall take place without the obligor being present.
  - d. Information in favor of the obligor shall be considered at the review only if that information is presented or offered at the review. Information in favor of the ambulance service shall be considered in the review.
7. **Outcome of review:** If a review occurs because a patient obligor submits a challenge or dispute within fifteen days after the notice was mailed by the ambulance service, then the patient obligor will continue to owe the amount due unless the outcome of the review is one of the following:
    - a. a determination that the debt is not a qualified debt, or
    - b. the bill is erroneous because of a mistake of fact, including a mistake in the identity of the obligor, or a mistake in the amount owed.

Only those two grounds shall be considered as a reason to reduce or eliminate the amount due from the disputing or challenging patient obligor.

If it has been determined as owing through the challenge or protest, or, if the time period provided by the ambulance service to challenge or protest has expired, then the Washington County Ambulance Service shall have the option and authority to engage in collection activities to try to collect. This includes but is not limited to submitting the unpaid billing invoice to the Iowa Department of Revenue's Setoff Program, referring the account to a third-party debt collection service, and filing claims against or taking legal action against the patient-obligor.

8. **Failure to provide notice to the County:** The Washington County Ambulance Service may object to non-payment of a portion or all of a patient obligor's bill based on the patient obligor's failure to timely dispute or challenge the unpaid fee or bill.
9. **Severability:** If any section, provision, or part of this ordinance shall be adjudged invalid, illegal

or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

**10. Effective Date:** This ordinance shall take effect after its final passage and upon publication as part of the proceedings of the Board of Supervisors.

Date: 9-10-2024

  
RICHARD L. YOUNG, CHAIRPERSON  
Washington County Board of Supervisors

  
ROBERT C. YODER VICE-CHAIRPERSON  
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ATTEST

  
DANIEL L. WIDMER  
Washington County Auditor

1st reading 9-3-24  
2nd reading 9-10-24  
3rd reading 9-10-24 waived  
Approval 9-10-24  
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