

**CITY OF NEW BALTIMORE
MACOMB COUNTY, MICHIGAN
NOTICE OF ADOPTION
ORDINANCE NO. 176**

AN ORDINANCE AMENDING AND REVISING THE CODE OF ORDINANCES CHAPTER 30 ADDING ARTICLE IV REQUIRED PAYMENT FOR MEDICAL SERVICES, PERSONS AND CUSTODY PROVIDING FOR CIRCUMSTANCES, METHODS AND MEANS FOR COLLECTING FEES ASSOCIATED WITH PERSONS IN CUSTODY WHO ARE FURNISHED MEDICAL SERVICES, AND PROVIDING FOR REPEALER, SEVERABILITY, PENALTY, OTHER TERMS AND EFFECTIVE DATE.

THE CITY OF NEW BALTIMORE ORDAINS:

Section 1. Chapter 30, of the Code of Ordinances of the City of New Baltimore is hereby revised and amended adding Article IV as follows:

ARTICLE IV. REQUIRED PAYMENT FOR MEDICAL SERVICES FOR PERSONS IN CUSTODY.

Sec. 30-106 Purpose.

In order to protect the City from extraordinary expenses resulting from the utilization of City resources associated with furnishing medical services on behalf of persons in custody as defined within this act and to provide for persons who receive such services to pay for charges incurred associated with such services in order to promote and protect the public health, safety, and welfare of citizens of the City of New Baltimore and the public at large, this Ordinance is hereby enacted.

Sec. 30-107 Definitions.

The following terms, phrases, and words shall have the meaning set forth unless the context otherwise requires:

- a. Individuals Who Are In Custody. Individuals who are in custody means any person whose liberty is restrained, or who is confined or incarcerated by the city including but not limited to individuals who are under arrest, incarcerated, or imprisoned, or who have escaped from confinement, or who are under supervised release, or on medical furlough, or residing in a mental health facility or halfway house, or living under home detention or confined completely or partially in anyway under a penal statute or rule.

- b. Medical Services. Medical services means any and all services rendered directly or indirectly to a person associated with their physical or mental health or well being and for which charges arise including but not limited to services furnished by healthcare professionals, transportation expenses for emergency transportation and/or other similar or related costs.

Sec. 30-108 Required Payment by Persons in Custody.

Individuals who are in custody shall be responsible for the payment of any medical services rendered to and received by that individual during the course of their custody within the city or at the city or court's direction including but not limited to transportation to and from medical treatment facilities, and any treatment furnished whether or not requested by the individual and shall reimburse the city in full for any fees or charges incurred for such services as provided.

Sec. 30-109 Rendering Services.

Services shall be provided to persons in custody without regard to whether any such person is financially able to or refuses beforehand to pay any such fee. The rendering of such services shall not diminish in any way the obligation on the part of the person receiving such services for payment.

Sec. 30-110 Record Maintenance.

The city shall maintain a record of all persons in custody receiving emergency transportation service. Such records shall within 45 days such services rendered be turned over to the city's independent billing agent, if one is utilized, or otherwise bills shall be prepared and sent.

Sec. 30-111 Statement of Services to Individuals.

The city either directly or through its appointed independent billing agent, shall mail to any individual in custody utilizing services including but not limited to emergency medical transportation statement setting forth services rendered in the amount of fee charged. If it appears that any such individual has a policy of insurance which would pay for such service, the statement may be mailed directly to the insurance company.

Sec. 30-112 Establishing Fees Charged.

The fees charged by and on behalf of the city shall in all instances cover the actual expenses incurred and otherwise at minimum shall be the fee asset forth by resolution of the city periodically.

Sec. 30-113 Collection Records.

The city shall maintain records indicating persons to whom such statements were furnished and fees collected.

Sec. 30-114 Delinquent Accounts.

Any individual who does not remit the fee within 120 days of the date of billing shall have their account placed in collection which may include collection by a third party, collection agency or any other remedy allowable by law.

Section 2. Severability. Should any word, phrase, sentence, or clause of this Ordinance be declared by a court of competent jurisdiction, to be invalid, or unenforceable, the same shall not effect the validly or enforceability of any other provision, or part.

Section 3. Effective Date. This Ordinance shall become effective immediately upon adoption and publication due to the emergency nature of same.

I, Marcella Shinska, City Clerk of the City of New Baltimore, Macomb County, Michigan, do hereby certify that Ordinance No. 176 was adopted by the City Council of New Baltimore, assembled in regular session on April 25, 2011. Said Ordinance was posted in the following places:

Notice of said posting was published in *The Voice Newspaper* on May 11, 2011.

Marcella Shinska, City Clerk