

**RESOLUTION NO. 188 - 2015**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, REVISING RESOLUTION NO. 152-2009; DISPENSING WITH THE REQUIREMENT THAT PROPERTY OWNERS PRODUCE A MONROE COUNTY DRIVER'S LICENSE IN ORDER TO QUALIFY FOR A FEE WAIVER FOR TRAUMA SCENE AND CRITICAL CARE INTERFACILITY FLIGHTS; REMOVING THE REFERENCE TO AN EXTERNAL BILLING COMPANY; SETTING AN EFFECTIVE DATE; AND DIRECTING THE CLERK TO SEND A COPY OF THE RESOLUTION TO THE MONROE COUNTY SHERIFF.**

**WHEREAS**, Monroe County provides a rapid-transport air ambulance to provide air transportation of trauma, critically injured and ill patients, hereafter called "Trauma Star"; and

**WHEREAS**, Trauma Star provides air transportation from emergency scenes in Monroe County to specialized hospitals and treatment centers out-of-county, and Trauma Star also provides air transportation from remote areas such as Fort Jefferson to Monroe County hospitals, hereinafter called "trauma scene flights"; and

**WHEREAS**, Trauma Star provides air transportation from Monroe County hospitals to specialized hospitals and treatment centers out-of-county upon physician authorization, hereinafter called "critical care interfacility flights"; and

**WHEREAS**, the annual cost of operation of Trauma Star above and beyond user service fees is funded by ad valorem property taxes paid by Monroe County citizens; and

**WHEREAS**, on May 20, 2009, the Board of County Commissioners adopted Resolution 152-2009, creating a program whereby Monroe County property owners and their tenants (collectively, "Residents") may qualify for a waiver of that portion of Trauma Star fees above and beyond the amount of reimbursement obtained from third-party payors (including but not limited to private insurance, Medicare and Medicaid) in return for the property taxes paid by the property owners to support the Trauma Star program; and

**WHEREAS**, Resolution 152-2009 includes a requirement that property owners show a current Monroe County driver's license in order to qualify for the fee waiver; and

**WHEREAS**, the Board of County Commissioners recognize that many property owners who are seasonal or part-time residents do not hold drivers' licenses issued by Monroe County, and the Commissioners now wish to dispense with this requirement in order to extend the fee waiver program to those taxpaying property owners; and

**WHEREAS**, the Board of County Commissioners also wish to update Resolution 152-2009 to reflect the fact that billing is now performed in-house by Monroe County employees rather than by an external billing company; and

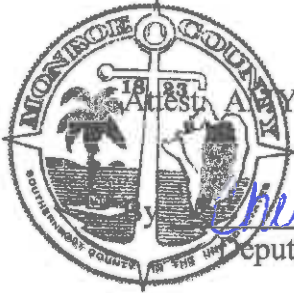
**WHEREAS**, the Board of County Commissioners also wish to update Resolution 152-2009 to dispense with the requirement that air ambulance write-offs attributable to resident fee waivers be presented to the BOCC for approval in the form of a resolution as currently set forth in Section 1 of Resolution 152-2009.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA THAT:**

1. Section 1, paragraph D (which currently reads “Write-offs of out-of-pocket expenses will be completed by annual resolution of the Board of County Commissioners”) is repealed in its entirety and replaced with the following language:
  - D. Write-offs of out-of-pocket expenses attributable to fee waivers will be reported to the Board of County Commissioners in the form of yearly agenda items.
2. Section 3, paragraphs C and D in Resolution 152-2009 are revised to read as follows:
  - C. Monroe County will continue to process billing as in current practice, but will provide a waiver request form in the billing package. To be considered for the write-off or waiver of out-of-pocket expenses, the patient is required to show documentation to prove that the property owner has paid all applicable property taxes, including any Trauma Star tax beginning on November 1, 2009, and that the qualifying individual meets the other requirements as set forth in Section 3.A., above. The qualifying individual must submit proof of qualification for review and validation. Documents to substantiate qualification must include a copy of the property tax bill showing that all taxes, including the Trauma Star tax, have been paid and are current. In addition, to qualify under Section 3.A.2, an individual must provide a copy of a long-term lease and/or utility bills at the address held by the property owner.
  - D. Residents who have met the waiver requirements will not be invoiced during the time that Monroe County continues to seek third party payments.
3. In all other respects, Resolution 152-2009 remains unchanged.
4. The effective date of this Resolution shall be July 15, 2015.
5. The Clerk is directed to send a copy of this Resolution to the Monroe County Sheriff.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board held on the 15<sup>th</sup> day of July, 2015.

Mayor Danny L. Kolhage	<u>Yes</u>
Mayor Pro Tem Heather Carruthers	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>
Commissioner David Rice	<u>Yes</u>
Commissioner Sylvia Murphy	<u>Yes</u>



Attest: ANNY HEAVILIN, CLERK

By: Cheryl Robertson  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: Danny P. Kolhage  
Mayor

~~FILED FOR RECORD  
2015 AUG 32 AM 7:28  
CLK. CIR. CLERK  
MONROE COUNTY, FLA~~

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
Cynthia L. Hall  
CYNTHIA L. HALL  
ASSISTANT COUNTY ATTORNEY  
Date: 8-25-2015

FILED FOR RECORD  
2015 SEP -1 AM 7:30  
CLK. CIR. CLERK  
MONROE COUNTY, FLA

**VERSION B**

**RESOLUTION NO. 152 2009**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ADOPTING A FEE WAIVER POLICY AND PROCESS FOR TRAUMA STAR BILLING FOR TRAUMA SCENE AND CRITICAL CARE INTERFACILITY FLIGHTS.**

**WHEREAS**, Monroe County provides a rapid-transport air ambulance to provide air transportation of trauma, critically injured and ill patients, hereafter called "Trauma Star"; and

**WHEREAS**, Trauma Star provides air transportation from emergency scenes in Monroe County to specialized hospitals and treatment centers out-of-county, and Trauma Star also provides air transportation from remote areas such as Fort Jefferson to Monroe County hospitals, hereinafter called "trauma scene flights"; and

**WHEREAS**, Trauma Star provides air transportation from Monroe County hospitals to specialized hospitals and treatment centers out-of-county upon physician authorization, hereinafter called "critical care interfacility flights"; and

**WHEREAS**, the annual cost of operation of Trauma Star has been approximately \$1,800,000 per year in excess of revenues collected from third party insurance through the billing of user service fees; and

**WHEREAS**, a referendum on November 4, 2008 for the establishment of two special taxing districts for the operation of Trauma Star passed with 54.5 percent of the vote; and

**WHEREAS**, the Board of County Commissioners has determined that it is in the best interests of its residents to support trauma scene flights and critical care interfacility flights for qualifying residents via a fee waiver program; and

**WHEREAS**, the Board of County Commissioners have found that residents support the Trauma Star program through the payment of ad valorem property taxes; and

**WHEREAS**, nonresidents of the County make frequent use of the Trauma Star program but do not directly pay any portion of the expenses through the County's real property taxes to pay for Trauma Star, including maintenance, operating costs, and the salaries of employees required to provide the Trauma Star program; and

**WHEREAS**, the Board of County Commissioners has opted to establish a policy and set certain restrictions on billing for Trauma Star, particularly with respect to the potential for service fee waivers; now, therefore

## VERSION B

### BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA THAT:

Section 1. The following policy is hereby established with respect to Trauma Star.

- A. The County will continue to seek reimbursement from third-party payers, including but not limited to liability insurance, automobile insurance, health care insurance, Medicare, and Medicaid, to offset a portion of Trauma Star's operational costs.
- B. For qualifying individuals, the County Commission will eventually write off any and all balances remaining after receipt of third party payments, even in cases when the qualifying individual does not have any third party insurance.
- C. The waiver of out-of-pocket expenses is made effective retroactive to November 4, 2008, the date of passage of the voter referendum.
- D. Write-offs of out-of-pocket expenses will be completed by annual resolution of the Board of County Commissioners.

Section 2. Administrative Waiver Qualification. To be eligible for a waiver of service fees, the qualifying individual and the air ambulance transport must meet all of the following criteria:

- A. The waiver includes the cost of trauma scene flights and critical care interfacility flights.
- B. The patient must be a qualifying resident as defined in Section 3 below.
- C. The individual transported must not have been injured while involved in the commission of felony criminal activity.

Section 3. Resident Qualification. The waiver process requires qualification as a resident and submission of documentation by the person seeking the waiver:

- A. A qualifying individual is a resident who defined as either of the following:
  1. Any property owner, or immediate member of his or her household, who is current in paying property taxes in Monroe County, including the Trauma Star tax. For the purposes of this paragraph, the term "property tax" includes the tax on real and personal property authorized by Monroe County Ordinance 030-2008. For the purposes of this paragraph, the term "immediate member of his or her household" means (a) residing at the same address as the property owner, and (b) son, daughter, father, mother, brother, sister, mother-in-law, father-in-law, uncle, aunt, nephew, niece, brother-in-law, sister-in-law, stepfather, stepmother, stepdaughter, stepson, half brother, half sister, grandchild, or domestic partner.
  2. A resident of Monroe County, or immediate member of his or her household, who rents property subject to the Trauma Star tax. For the purpose of this paragraph, the term "immediate member of his or her household" means (a) residing at the same address as the property owner, and (b) son, daughter, father, mother, brother, sister, mother-in-law, father-in-law, uncle, aunt, nephew, niece, brother-in-law, sister-in-law, stepfather, stepmother, stepdaughter, stepson, half brother, half sister, grandchild, or domestic partner.

## **VERSION B**

- B. A non-qualifying individual is any individual who does not contribute towards the financing of the Trauma Star service, such as visitors and part-time or seasonal residents, and all others who do not meet the criteria in section 3.A.
- C. The billing company will continue to process billing as in current practice, but will provide a waiver request form in the billing package. To be considered for the write-off or waiver of out-of-pocket expenses, the patient is required to show documentation to prove that the property owner has paid all applicable property taxes, including any Trauma Star tax beginning on November 1, 2009, and that the qualifying individual meets the other requirements as set forth in Section 3.A., above. The qualifying individual must submit proof of qualification to the billing company for review and validation. Documents to substantiate qualification must include a copy of the property tax bill showing that all taxes, including the Trauma Star tax, have been paid and are current. In addition, to qualify under Section 3.A.1., an individual must provide a copy of a current Monroe County driver's license showing residency at the address held by the property owner. To qualify under Section 3.A.2, an individual must provide a copy of a long-term lease and/or utility bills at the address held by the property owner.
- D. Residents who have met the waiver requirements, as documented by the billing company, will not be invoiced during the time that the billing company continues to seek third party payments and while pending the BOCC approval of the write-off.

### **Section 4. Other Providers Excluded.**

- A. The fee waiver program is not applicable to any other transport provided by any other helicopter provider, even in the event Trauma Star is out of service or unavailable.
- B. The County does not subsidize the operations of other providers, and the County is not responsible for any fees incurred by residents from other providers' services.

### **Section 5. The Clerk is directed to send a copy of this Resolution to the Monroe County Sheriff.**

**VERSION B**

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board held on the 20<sup>th</sup> day of May, 2009.

<b>Mayor George Neugent</b>	<u>Yes</u>
<b>Mayor Pro Tem Sylvia Murphy</b>	<u>No</u>
<b>Commissioner Heather Carruthers</b>	<u>Yes</u>
<b>Commissioner Mario Di Gennaro</b>	<u>Yes</u>
<b>Commissioner Kim Wigington</b>	<u>Yes</u>



**D. L. KOLHAGE, CLERK**

*Danny L. Kolhage*  
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA**

By: *George R. Neugent*  
Mayor

**MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:**  
*Cynthia L. Hall*  
CYNTHIA L. HALL  
ASSISTANT COUNTY ATTORNEY  
Date 5-28-2009

**FILED FOR RECORD**

**2009 MAY 29 AM 11:26**

**DANNY L. KOLHAGE  
CLERK, C.T.  
MONROE COUNTY, FL**