

# ORDINANCE NO. 2025-01

## AN ORDINANCE OF THE VISTA FIRE PROTECTION DISTRICT OF SAN DIEGO COUNTY ESTABLISHING A SCHEDULE OF FEES FOR EMERGENCY MEDICAL SERVICES

WHEREAS, the Vista Fire Protection District of San Diego County (“District”) is a fire district recognized and operating pursuant to the Fire Protection District Law (Health & Safety Code § 13800, *et seq.*, the “Act”) with authority to provide prehospital emergency medical services, Advanced and Basic Life Support Services, including ground ambulance services (cumulatively “emergency services”), throughout the entirety of the District Territory and appurtenant ambulance service areas pursuant to California Health & Safety Code section 1797.201;

WHEREAS, the Act, and specifically Health and Safety Code section 13916, empowers the District to enact an ordinance and charge a fee to cover the cost of any service which the District provides, provided that no fee charged by the District may exceed the reasonable costs borne by the District in providing the service for which the fee is charged;

WHEREAS, the District provides emergency services to individuals within the District through a contract with the City of Vista and the Vista Fire Department (jointly the “Department”), and the District compensates the Department in consideration for such services in an amount equal to the service fees collected;

WHEREAS, the Department has commissioned an Ambulance Rate Study dated September 18, 2024 (the “Study”) which examined the Department’s cost of providing emergency services and concluded that existing service costs exceed existing fee revenues, and as a result recommends the adoption of new or increase of existing emergency service fees to more fully recover the cost of providing such services, as the recommended fees are more fully described in the Schedule of Fees included in Exhibit “A” hereto (“Schedule of Fees”);

WHEREAS, this ordinance was introduced at a meeting of Board of Directors for the District (“Board” on December 11, 2024, and consistent with the requirements of Health & Safety Code Section 13916, public notice of the District’s intent to adopt establish and impose the Schedule of Fees was published pursuant to Section 6066 of the Government Code, any required mailed notice of the hearing was provided, and the Study was made available to the public;

WHEREAS, on January 15, 2025, the District Board held a duly noticed public meeting at which it considered the Study, all objections and protests to the proposed Schedule of Fees, and all other matters presented in connection with this ordinance; and

WHEREAS, all legal requirements for adoption of this ordinance have been met.

NOW THEREFORE, the Board of Directors of the Vista Fire Protection District of San Diego County does hereby ordain as follows:

Ordinance No. 2025-01

**SECTION 1. Recitals.**

The foregoing recitals are true and correct and incorporated as substantive findings and a part of this ordinance.

**Section 2. Authorization and Purpose.**

Pursuant to the Fire Protection District Law of 1987 (Health and Safety Code sections 13800 *et seq.*, the “Act”) and other applicable laws, the purpose of this ordinance is to establish emergency medical services fees that are no more than necessary to cover the reasonable costs of the District’s governmental activities, and to ensure that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the District’s governmental activities. The provisions of this ordinance are intended and shall be applied consistent with the provisions of Health and Safety Code section 13916 and other laws pertaining to fee schedules. Except as otherwise indicated, the definitions of the Act are incorporated herein, and this ordinance shall be interpreted in a manner consistent with the Act.

**SECTION 3. Findings.**

In adopting this ordinance the Board of Directors for the District does hereby find and declare that: (1) no fee included in the Schedule of Fees exceeds the costs reasonably incurred by the District in providing the service or enforcing the regulation for which the fee is charged; (2) the fees set forth in the schedule of fees adopted by this ordinance are not a tax as defined by section 1(e) of Article XIII C of the California Constitution and are exempt from voter approval under that section, in that the fees are no more than necessary to cover the reasonable costs of the governmental activity, and the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the governmental activity; and (3) the schedule of fees does not include any fees on new construction or development for the construction of public improvements or facilities or the acquisition of equipment.

**SECTION 4. Fee Schedule.**

The District hereby adopts and approves the schedule of fees that is attached hereto as “Exhibit A” and entitled “2025 Emergency Medical Services Schedule” and all individual fees that are set forth in the schedule of fees.

**SECTION 5. Future Fee Increases**

- A. The District finds and declares that: (1) the 43 U.S.C. § 1834(l)(3)(B) of the Social Security Act establishes an inflation factor, known as the API, that is equal to the percentage increase in the consumer price index for all urban customers CPI-U) for the 12-month period ending with June of the previous year for updating payment limits that Medicare carriers use to determine how much to reimburse providers and suppliers of ambulance services; and (2) The Consumer Price Index (CPI) Series Title Medical Care in the U.S. City Average, All Urban Consumers, Not Seasonally Adjusted, as published by the U.S. Department of Labor, Bureau of Labor Statistics

Ordinance No. 2025-01

establishes a CPI index inflator as a percentage change for the twelve (12) month period ending December 31 of the preceding calendar year.

- B. Subject to approval by the Board by resolution at a regularly scheduled meeting, the fees set forth in the schedule of fees may be adjusted annually, beginning July 1, 2025, and each July 1<sup>st</sup> thereafter, in conformity with the Ambulance Inflation Factor (“AIF”) by the percentage change in the Consumer Price Index Series Title Medical Care in the U.S. City Average, All Urban Consumers (CPI-U), Not Seasonally Adjusted, as published by the U.S. Department of Labor, Bureau of Labor Statistics for the twelve (12) month period ending December 31 of the preceding calendar year.

**SECTION 6. Other Fees Unchanged.**

This ordinance pertains only to the fees listed in the attached schedule of fees and does not supersede, replace, or amend any other existing fees or charges that have previously been adopted or approved by the District. This ordinance is not intended and does not serve as a comprehensive fee schedule, and all other preexisting fees, charges, and rates shall remain in full force and effect.

**SECTION 7. Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance, or the fee schedule or any fee therein, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance or fee schedule. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or fees be declared invalid or unconstitutional.

**SECTION 8. CEQA.**

The Board finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3)(the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 9. Effective Date.**

This Ordinance and the Fee Schedule shall become effective on March 1, 2025, and within fifteen (15) days of passage, shall be published once with the names of the Directors voting for and against it, in the San Diego Union Tribune, a newspaper of general circulation in this District.

Ordinance No. 2025-01

Passed and Adopted on January 15, 2025, by the following roll call vote:

MOTION ELLIOTT	SECOND MILLER
AYES:	Elliott, Fougner, Hill, Miller, Ploetz
NOES:	None
ABSTAIN:	None
ABSENT:	None

The first reading of the Ordinance was introduced and passed at a regular meeting held December 11, 2024. Second reading of the Ordinance and passed at a regular meeting on January 15, 2025. PASSED, APPROVED and ADOPTED this 15th day of January at the regular meeting of the District Board of Directors held at 450 S. Melrose Drive, Vista, California 94563 on January 15, 2025, on a motion made by Director ELLIOTT, seconded by Director MILLER, and carried with the following roll call vote:

AYES:	Elliott, Fougner, Hill, Miller, Ploetz
NOES:	None
ABSTAIN:	None
ABSENT:	None

Attest:

  
Karlana Rannals  
Board Clerk

By:


  
John Ploetz  
President, Board of Directors

Effective:

Ordinance No. 2025-01

I certify that this is a full, true, and correct copy of the original document which is on file in my office, and that was passed and adopted by the Vista Fire Protection District on the date shown.

ATTEST:



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Karlena Rannals  
Board Clerk

Ordinance No. 2025-01

Exhibit A

## VISTA FIRE PROTECTION DISTRICT EMERGENCY MEDICAL SERVICES FEE SCHEDULE EXHIBIT A

### 1. First Responder Fee      \$981

This fee will be applied to all Vista residents and Vista non-resident treatment and release bills where a Vista ALS fire engine arrives on scene and a patient assessment is performed resulting in the generation of a patient care report.

### 2. Transport Fees

Resident Advanced Life Support 2 (ALS2)	\$3,629
Non-Resident Advanced Life Support 2 (ALS2)	\$3,629
Resident Advanced Life Support (ALS)	\$3,629
Non-Resident Advanced Life Support (ALS)	\$3,629
Resident Basic Life Support (BLS)	\$3,629
Non-Resident Basic Life Support (BLS)	\$3,629
Mileage (per loaded mile or fraction)	\$27

### 3. AMA/Treat and Release

This will include the first responder fee plus any of the following additional charges that apply.

### 4. Procedures/Supplies

Oxygen	\$65
EKG (for Medi-Cal patients only if they receive service)	\$20
Intubation (ET/LMA/King)	\$60
Defibrillation/Cardioversion	\$60

### 5. Disposable Charges

Disposable Supplies Level I	\$65
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- If any of the following supplies are used on a patient, they will incur a single charge for Disposable Supplies I, unless one of the items listed under Disposable Supplies II is used, then they will receive the Disposable Supplies II fee.

- Items included in Disposable Supplies Level I include ECG, glucose monitor, medication administration (IV, IM, IN, Nebulized) NG/ OG, restraints, cervical/spinal stabilization, bleeding control/splinting/bandaging, splinting, suction.

Ordinance No. 2025-01

Exhibit A

Disposable Supplies Level II

\$150

- If any of the following supplies are used on a patient, they will incur a single charge for Disposable Supplies II, and the Disposable Supplies I fee will not be added.
- Items included in Disposable Supplies Level II include CPAP, airway management/adjunct, Magill forceps, cardiac pacing, childbirth, interosseous, CPR, needle decompression, chest seal.

**6. Pharmaceuticals**

Pharmaceuticals

Cost+ 55%  
(Rounded to the  
nearest dollar)

**7. AIF and CPI-U Annual Adjustment**

First responder fees, ambulance transport fees, and add-on charges adjusted annually, beginning July 1, 2025, and each July 1st thereafter, in conformity with the Ambulance Inflation Factor {AIF) by the percentage change in the Consumer Price Index Series Title Medical Care in the U.S. City Average, All Urban Consumers (CPI-U), Not Seasonally Adjusted, as published by the U.S. Department of Labor, Bureau of Labor Statistics for the twelve (12) month period ending December 31 of the preceding calendar year.