

**ORDINANCE No. 189422 As Amended**

\*Authorize Portland Fire & Rescue to charge a fee-for-service for cost recovery of non-emergent lift assist responses to Oregon state licensed assisted living, residential care and nursing facilities within the City of Portland (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Fire & Rescue (PF&R) responded to approximately 345 requests for non-emergent lift assistance for residents from assisted living facilities, residential care facilities and nursing facilities (collectively "nursing facilities") during FY 2017-2018.
2. Lift assistance is defined as the manual lifting of a person who does not require medical treatment or transportation to a hospital from the floor or ground to a standing or seated position where that person has fallen and cannot mobilize themselves to get back up. In other words, it is the use of a PF&R firefighter or EMS member to singularly or in tandem with nursing staff lift an elderly, clinically obese, or immobile person from the ground.
3. Emergency medical treatment is defined as treatment beyond the initial assessment routinely performed by Portland Fire & Rescue.
4. PF&R diligently responds to non-emergent lift assist calls, but these responses have an impact both fiscally and on staff resources. Each non-emergent lift assist is dispatched as an emergency medical service call and costs the City of Portland approximately \$1,050, even though staff of these facilities can and should be trained to perform non-emergent lift assists.
5. At this time, facilities are not billed for these types of calls. To increase fiscal resources to deal with non-emergent lift assist calls, a cost-based fee-for-service is necessary so that PF&R may at least partially recover the costs of providing a service that nursing facility staff should be performing.
6. Cost recovery would be billed to the facility, not the individual resident.
7. The lift assist fee does not apply to individual residential locations such as independent senior living residences, private houses, or private apartments. It only applies where nursing staff are available on site to perform the non-emergent lift assist.
8. If PF&R is sent on a call for a lift assist, but it is determined that the individual requires emergency medical treatment or transportation to a hospital, the lift assist fee will not apply.

9. The fee for providing a non-emergent lift assist to a nursing facility resident at a nursing facility shall be \$200.00 for the first lift assist. The fee for a second lift assist requested in the same calendar year at the same facility shall be \$450.00. The fee for three or more lift assists in the same calendar year at the same facility shall be \$850.00 per lift assist.
10. A facility that is assessed a lift assist fee pursuant to this Ordinance shall have the right to appeal the assessment of a fee. Such appeal shall be to the Fire Chief or designee.
11. PF&R shall maintain records in connection with services provided pursuant to this ordinance and shall forward the records to PF&R's Management Services Division, which shall be responsible for the billing and collection of accounts due and owing, including the right to contract for billing and collection.
12. PF&R will implement the fee beginning on April 12, 2019, with no retroactive application.
13. Exhibit A is a copy of the lift assist operating procedure.

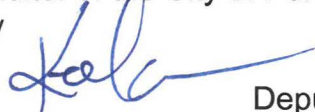
NOW, THEREFORE, the Council directs:

- a. Portland Fire & Rescue is authorized to charge a fee-for-service, as shown in Exhibit A, for cost recovery of non-emergent lift assist responses to Oregon state licensed assisted living, residential care and nursing facilities within the City of Portland.

Section 2. The Council declares that an emergency exists to prevent delays in implementing the lift assist operating procedure. Therefore, this ordinance shall be in full force and effect on April 12, 2019.

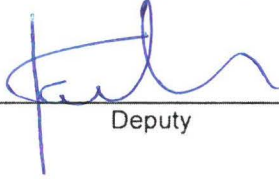

Passed by the Council: MAR 13 2019

Commissioner Jo Ann Hardesty  
Prepared by: Ryan Gillespie, Interim Fire Chief  
Date Prepared: January 17, 2019

**Mary Hull Caballero**  
Auditor of the City of Portland  
By  Deputy

Agenda No.  
**ORDINANCE NO. 189422** As Amended  
 Title

Authorize Portland Fire & Rescue to charge a fee-for-service for cost recovery of non-emergent lift assist responses to Oregon state licensed commercial assisted living, residential care and nursing facilities within the City of Portland (Ordinance)

INTRODUCED BY Commissioner/Auditor: <b>Jo Ann Hardesty</b>	CLERK USE: DATE FILED <u>FEB 19 2019</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By:  Deputy
BUREAU APPROVAL Bureau: Portland Fire & Rescue Bureau Head: Ryan Gillespie, Interim Fire Chief <i>RG</i>	
Prepared by: Ryan Gillespie, Interim Fire Chief Date Prepared: 1/17/19	ACTION TAKEN:  FEB 27 2019 <u>PASSED TO SECOND READING</u> MAR 06 2019 9:30 A.M.  MAR 06 2019 <i>Rescheduled to</i> MAR 13 2019 9:30 A.M.
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval:  required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date February 27, 2019	

<b>AGENDA</b>
TIME CERTAIN <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/> <i>Pulled</i>
REGULAR <input type="checkbox"/>  Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS	
	YEAS	NAYS
1 Fritz	1 Fritz <input checked="" type="checkbox"/>	
2 Fish	2 Fish <input checked="" type="checkbox"/>	
3 Hardesty	3 Hardesty <input checked="" type="checkbox"/>	
4 Eudaly	4 Eudaly <input checked="" type="checkbox"/>	
Wheeler	Wheeler <input checked="" type="checkbox"/>	