

BLAKELY BOROUGH

ORDINANCE NO. 3 of 2023

AN ORDINANCE OF BLAKELY BOROUGH REQUIRING HOSPITALS AND NURSING HOMES TO HAVE PRIVATE CONTRACTS WITH SERVICE PROVIDERS FOR NON-EMERGENCY MEDICAL CALLS

WHEREAS, Blakely Borough, by agreement now, and as may in the future be amended, has agreed with Wilson Hose Co. No. 1, Blakely Hose Co. No. 2 and Blakely Community Ambulance (“the Department”) for the Departments to provide fire suppression, fire protection, fire prevention, hazardous materials response, disaster mitigation, emergency medical services and any other emergency response in Blakely Borough;

WHEREAS, the Departments are independent, non-profit Pennsylvania corporations;

WHEREAS, the Departments, by it or through entities established by or contracted by it, provides emergency services to persons residing, working and traveling in Blakely Borough;

WHEREAS, Lackawanna County has established a 911 system to facilitate the prompt reporting of incidents requiring police, fire, hazardous materials response, disaster mitigation, emergency medical services or other emergency responses;

WHEREAS, calls placed with Lackawanna County's 911 system cause the Department or other emergency service responders designated to serve Blakely Borough to be dispatched to provide the necessary service;

WHEREAS, considerable sums are expended by providers of emergency services for equipment, materials and staff;

WHEREAS, municipal services for general governmental operations, including prevention of crime and protection of the public safety generally, are provided as a function of Township government, and are not intended to be affected by this Ordinance;

WHEREAS, in certain circumstances, providers of emergency services are authorized under the general laws of the Commonwealth and under Agreements with Blakely Borough to recover the usual; reasonable and customary fees; and charges for their services;

WHEREAS, hospital, nursing home and other medical facilities located within the Borough of Blakely have traditionally entered into private contracts with Emergency Service providers for the purpose of needed responses to non-emergency services at their facilities;

WHEREAS, the existence of such private contracts permits the Department to be available to Borough residents in the event of an emergency;

WHEREAS, the existence of such contracts is financially beneficial to the Department, as the Department is typically unable to recoup charges associated with the provision of non-emergency medical services;

WHEREAS, the Department has received a greatly increased number of calls through the Lackawanna County 911 system for non-emergency services needed at certain hospital, nursing home and other medical facilities located within the Borough of Blakely;

WHEREAS, the greatly increased number of calls has detrimentally impacted the Department through the wasting of resources, including but not limited to manpower and equipment, that cannot be recouped;

WHEREAS, Blakely Borough has determined that it is necessary based upon cost considerations and in the best interests of the Borough and the health safety and welfare of its residents and those providing emergency services to establish regulations related to the provision of non-emergency medical services at hospitals, nursing homes and other medical facilities located within the Borough of Blakely.

NOW THEREFORE IT IS HEREBY ORDAINED AND ENACTED by Blakely Borough, Lackawanna County, Pennsylvania as follows:


1. Any and all hospitals, nursing homes and other medical providers located within the Borough of Blakely are required to have a private contract with Emergency Service providers for the purpose of needed responses to non-emergency services at their facilities;
2. Proof of the existence of such a contract shall be provided to the Department and Blakely Borough;
3. The Department will not respond to calls or requests for non-emergency medical services at any hospitals, nursing homes or other medical providers within the Borough if they do not provide proof of the existence of such a contract within thirty (30) days of the enactment of this ordinance;
4. The Department will not respond to calls or requests for non-emergency medical services at any hospitals, nursing homes or other medical providers within the Borough unless it is first established the privately contractor provider is unavailable due to other service-related calls. For purposes of this provision, the failure or refusal of a private contractor to respond to non-emergency calls due to non-payment of monies owed shall not be considered to render the private contractor unavailable.

5. Should the Department, or in the event that Blakely Ambulance is not available, it's out-contracted provider, respond to any hospital, nursing home or other medical provider within the Borough in response to a call through the Lackawanna County 911 center and it is determined that the call is a non-emergency call traditionally handled by a private contractor, the Department is authorized to directly bill the hospital, nursing home or other medical provider for any and all costs incurred. The failure of the responsible party to make timely payment of any such bill may result in additional costs for collection as well as the potential filing of a Municipal Lien against the property of responsible party.
6. In an attempt to prohibit repeated violations of this Ordinance, in addition to the payment of any and all costs incurred as referenced above, any person that violates this Ordinance may be subject to a fine in an amount up to \$500.

This ordinance has been appropriately advertised and is hereby approved this 20th day of March 2023.




LOUIS R. PARRI
Council President



JEANETTE ACCIARE-MARIANI
Mayor

Attest:


CHRISTOPHER R. PAONE
Secretary