

# WEST VIRGINIA LEGISLATURE

## 2019 REGULAR SESSION

Introduced

### House Bill 2312

FISCAL  
NOTE

BY DELEGATE SPONAUGLE

BY REQUEST

[Introduced January 11, 2019; Referred  
to the Committee on Fire Departments and  
Emergency Medical Services then Finance.]

1 A BILL to amend and reenact §7-15-17 of the Code of West Virginia, 1931, as amended, relating  
2 to authorizing county commissions to initiate collection actions for emergency ambulance  
3 service; and allowing county commissions to assess a fee for ambulance calls when a  
4 person has refused transport.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 15. EMERGENCY AMBULANCE SERVICE ACT OF 1975.**

### **§7-15-17. Imposition and collection of special emergency ambulance service fee by county commission.**

1 (a) A county commission may, by ordinance, impose upon and collect from the users of  
2 emergency ambulance service within the county a special service fee, which shall be known as  
3 the “special emergency ambulance service fee.” The proceeds from the imposition and collection  
4 of any special service fee shall be deposited in a special fund and used only to pay reasonable  
5 and necessary expenses actually incurred and the cost of buildings and equipment used in  
6 providing emergency ambulance service to residents of the county. The proceeds may be used  
7 to pay for, in whole or in part, the establishment, maintenance and operation of an authority, as  
8 provided for in this article: *Provided*, That an ambulance company or authority receiving funds  
9 from the special emergency ambulance fees collected pursuant to this section may not be  
10 precluded from making nonemergency transports.

11 (b) A county commission may initiate collection of delinquent fees through filing an action  
12 in magistrate court or placement of a judgement lien, and is not required to pay court costs and  
13 fees associated with these processes. Upon a finding by a court that the delinquent fee is lawfully  
14 owed, all court fees relating to collection shall be imposed upon the person found to be delinquent.  
15 The county commission may nominate a representative to perform the duties of this process.

16 (c) A county commission is authorized to set an amount to be due from those calls made  
17 for emergency ambulance service where a person has signed a “refusal”; and to charge that  
18 person a fee not to exceed \$300. The manner of collection shall be pursuant to this section.

NOTE: The purpose of this bill is to allow county commissions to initiate collections for emergency ambulance services and to set a fee for those who refuse transport.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.