

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES; AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, FINANCE, TO REQUIRE REIMBURSEMENT FOR THE EMERGENCY MEDICAL SERVICES RENDERED BY THE CITY TO THOSE CONFINED BY OR AT THE DIRECTION OF THE CITY.

The City of Allen Park Ordains:

SECTION 1. AMENDMENT TO CODE.

CHAPTER 2, ADMINISTRATION, ARTICLE IV, FINANCE SECTION 2-798 IS AMENDED AS FOLLOWS:

Sec. 2-798. - Inmate reimbursement.

- (a) The city may seek reimbursement from any person who is or was a convicted inmate in the city jail or in a county jail for expenses incurred by the city in relation to the incarceration of that person as follows:
- (1) Not more than the maximum amount as permitted by state law for the expenses of maintaining that inmate or the actual per diem cost of maintaining that inmate, whichever is less, for the entire period of time the inmate was confined in the city jail, including any period of pretrial detention.
 - (2) The per day cost charged to the city by a county for housing the inmate in that county's jail, but not more than \$60.00 per day, for the entire period during which the inmate was housed in that county's jail.
 - (3) The cost of providing medical treatment, prescription drugs, dental care, and other medical examinations or procedures. This section does not bar the City from obtaining reimbursement for medical services as provided under Chapter 2, Administration, Division 4, Reimbursement for Emergency Medical Services Received By Those Confined et. seq.
 - (4) To investigate the financial status of the person.
 - (5) Any other expenses incurred by the city to collect payments under Public Act No. 88 of 2006 (MCL 801.311 et seq.

THE FOLLOWING DIVISION AND SECTIONS ARE HEREBY CREATED IN CHAPTER 2, ADMINISTRATION, ARTICLE VI, FINANCE:

DIVISION 4. REIMBURSEMENT FOR EMERGENCY MEDICAL SERVICES RECEIVED BY THOSE CONFINED

Sec. 2-869. Emergency Medical Services Reimbursement Fees.

(A) *Emergency Medical Services Reimbursement Fees.* Fees to be paid by any person utilizing the services of an emergency vehicle owned or operated by the city for purposes of transporting that person to a facility for emergency medical treatment shall be set by the Fire Chief as designated herein by City Council from time to time.

(B) *Medical Treatment Of Those Confined.* Any person held in custody, confined or incarcerated by the City, including but not limited to: individuals who are i) under arrest, ii) incarcerated, iii) imprisoned, iv) escaped from confinement, v) under supervised release, vi) on medical furlough, vii) residing in a mental health facility or halfway house, viii) living under home detention, ix) or confined completely or partially in any way under a penal statute or rule; shall be solely responsible for the payment of any medical services rendered to, and received by, that person during the course of his or her confinement with the City, or at the City's or Court's direction, including without limitation, transportation to and from a medical treatment facility, and any treatment deemed necessary by his or her treating physician, whether or not requested by the prisoner; and shall be required to reimburse the City, in full for any fees or charges incurred for such services, if not paid directly to medical facility or practitioner by the prisoner or his or her insurance carrier.

SECTION 2. Saving Clause.

Nothing in this Ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquiring or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 3. Severability.

Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase, or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

SECTION 4. Repeal.

All prior existing ordinances adopted by the City of Allen Park inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

SECTION 5. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the **24th day of April, 2012.**

WILLIAM MATAKAS, Mayor
City of Allen Park

MICHAEL I. MIZZI , City Clerk
City of Allen Park