

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Department of Public Health – Financial Services

**AGENDA DATE:** CCA Introduction 08/04/09; Public Hearing 08/11/09

**CONTACT PERSON/PHONE:** Carlos Campos, 771-5707

**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

An ordinance amending Title 9 (Health and Safety), Chapter 9.02 (Department of Public Health) of the El Paso City Code by adding Section 9.02.040 (Fees – Clinics and Laboratory) for Clinic and Laboratory services; and deleting Title 9 (Health and Safety), Chapter 9.84 (Miscellaneous Health Regulations) Section 9.84.050 (Venereal Disease Clinic – Fees)

**BACKGROUND / DISCUSSION:**

The El Paso City-County Health and Environmental District (“Health District”) had fees for various services, including clinic and laboratory fees. Since the City created the DOPH and took over the clinic and laboratory services function previously handled by the Health District, DOPH has continued to charge a fee for clinic and laboratory services. The authorization for the City to continue charging the fees for clinics and laboratories last year was provided through the Budget Resolution, and this year DOPH is seeking Council authorization to continue charging these fees through an ordinance.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

**AMOUNT AND SOURCE OF FUNDING:**

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**BOARD / COMMISSION ACTION:**

**Enter appropriate comments or N/A**

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.02 (DEPARTMENT OF PUBLIC HEALTH) OF THE EL PASO CITY CODE BY ADDING SECTION 9.02.040 (FEES – CLINICS AND LABORATORY) FOR CLINIC AND LABORATORY SERVICES; AND DELETING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.84 (MISCELLANEOUS HEALTH REGULATIONS) SECTION 9.84.050 (VENEREAL DISEASE CLINIC – FEES)**

**WHEREAS**, in order to better organize the placement in the City Code of the language authorizing certain fees charged by the Department of Public Health, staff recommends deleting Section 9.84.050 of the City Code and moving the pertinent portions of that section to Chapter 9.02 (Department of Public Health) of the City Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**Section 1.** That Title 9 (Health and safety), Chapter 9.02 (Department of Public Health), Section 9.02.040 (Fees – Clinics and Laboratory) of the El Paso City Code, shall be and hereby is created to read as follows:

**9.02.040 Fees – Clinics and Laboratory.**

A. The Department is authorized to charge fees for services provided by the Dental, Sexually Transmitted Disease and Tuberculosis Clinics and the Laboratory. Such fees shall be for the services listed and identified in the adopted budget resolution for the current fiscal year or by other appropriately adopted resolution by the City Council. The Director of the Department of Public Health is authorized to adjust said fees for services based on any changes that may be made to the Medicaid reimbursement rate.

B. The fees to be charged shall be charged for all services provided to a patient seeking diagnosis and treatment. Fees shall not apply to contact investigations.

C. For any investigation or inspection which is not a part of a regular license or permit program, whether during regular duty hours or at a time other than regular duty hours,

the fee shall be identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council. Said fee may be in addition to any other required fees.

**Section 2.** That Title 9 (Health and safety), Chapter 9.02 (Miscellaneous Health Regulations), Section 9.84.050 (Venereal disease clinic - fees) of the El Paso City Code, shall be and hereby is deleted in its entirety.

**Section 3.** This ordinance shall take effect on September 1, 2009.

**Section 4.** Except as expressly herein amended, Title 9 (Health and safety), Chapter 9.02 (Department of Public Health) and Chapter 9.84 (Miscellaneous Health Regulations) of the El Paso City Code shall remain in full force and effect.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009.**

THE CITY OF EL PASO:

ATTEST:

\_\_\_\_\_  
John F. Cook, Mayor

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Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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Josette Flores  
Assistant City Attorney

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Michael Hill  
Director