

NEW YORK CITY FIRE DEPARTMENT

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The Fire Department is proposing to amend Section 8400-02 of Title 3 of the Rules of the City of New York to change the amounts it charges patients and insurers for Emergency Medical Service (EMS) ambulance treatment and transport service.

When and where is the hearing? The Fire Department will conduct a virtual public hearing, using the “Microsoft Teams” application, as set forth below. The public hearing will take place at 11:00 a.m. on May 15, 2026.

How do I comment on the proposed rule? Anyone can comment on the proposed rules by:

- **Website** - You can submit comments to the Fire Department through the NYC rules website at <http://rules.cityofnewyork.us>, or on the “FDNY Rules” page of the Fire Department’s website, <http://www1.nyc.gov/site/fdny/codes/fire-department-rules/fire-dept-rules.page>.
- **Mail** - You can mail written comments to Code Development Unit, Bureau of Legal Affairs, New York City Fire Department, 9 MetroTech Center, Room 4W-6, Brooklyn, NY 11201.
- **Speaking at the hearing** - Anyone who wants to comment on the proposed rule at the on-line public hearing must sign up by emailing code.develop@fdny.nyc.gov. You will receive by reply email a link to the Microsoft Teams meeting and call-in information. The time for which you can speak at the hearing may be limited. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Join through internet:

- If you already have the Teams app, the meeting will open automatically when you select “Join the meeting now” in your meeting invite.
- If you have a Teams account, select **Sign in** to join with access to the meeting chat and more. You'll then join the meeting right away or enter the lobby until an organizer admits you.
- Please follow online instructions if [you don't have a Teams account](#) .

Join by phone only (call-in option):

To join the hearing only by phone, use the phone number and access code that you will receive by reply email.

For additional instructions to join a meeting in Microsoft Teams please visit Microsoft Support at <https://support.microsoft.com/en-us/office/join-a-meeting-in-microsoft-teams-1613bb53-f3fa-431e-85a9-d6a91e3468c9?omkt=en-US>.

Is there a deadline to submit written comments? Yes, you must submit written comments by May 15, 2026.

What if I need assistance to participate in the hearing? You must notify the Bureau of Legal Affairs if you need a sign language interpreter or other reasonable accommodation for a disability at the hearing. Write to us at the address above or email code.develop@fdny.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please notify us by May 5, 2026.

Can I review the comments made on the proposed rule? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us>. A few days after the hearing, a record of the hearing and copies of the written comments will be available to the public at the Bureau of Fire Prevention.

What authorizes the Fire Department to make this rule? Sections 487(f) and 1043 of the New York City Charter authorize the Fire Department to propose this rule.

Where can I find the Fire Department rules? The Fire Department rules are codified in Title 3 of the Rules of the City of New York and can be viewed on the Fire Department's website, www.nyc.gov/fdny and at <http://rules.cityofnewyork.us>.

What laws govern the rulemaking process? The Fire Department must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the New York City Charter. This rule was included in the Fire Department's FY2027 Regulatory Agenda.

Statement of Basis and Purpose of Proposed Rule

The Fire Department proposes a rule to change the amounts it charges patients and insurers for Emergency Medical Service (EMS) ambulance treatment and/or transport service provided through the New York City 911 System. The Fire Department is proposing this rule because of increased costs and to help offset the City's cost of providing these services.

The charges for ambulance service were last increased three years ago, on May 1, 2023. The proposed rates reflect increases in personal services (PS) costs and other than personal service (OTPS) costs required to provide emergency ambulance services and have been calculated to reduce the portion of such costs that is currently borne by City taxpayers.

The proposed rates are partially based on the established civilian collective bargaining pattern (16.21%). Because there is currently no settled EMS labor contract, the Fire Department is relying on the civilian collective bargaining pattern to adjust current PS costs to more accurately reflect the cost of EMS services.

The proposed schedule of charges sets forth a single rate for Basic Life Support (BLS) service, and separate rates for Advanced Life Support (ALS) levels of service (ALS1 and ALS2). The definition of BLS, ALS1 and ALS2 are determined by the Federal Department of Health and Human Services' Centers for Medicare and Medicaid Services.

The proposed rule clarifies the fees for BLS and ALS "treatment in place," *i.e.*, the administration of emergency medical services in absence of transportation.

The proposed rates set forth below are the amounts that the Fire Department would bill for EMS ambulance treatment and transport service. The rates do not necessarily reflect the amounts accepted by the Fire Department as payment for ambulance treatment and transport services from government and private health insurance plans.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Section 8400-02 of chapter 84 of Title 3 of the Rules of the City of New York is amended to read as follows:

§ 8400-02 Schedule of Charges for Fire Department Ambulance Treatment and Transport Service.

(a) *Scope.* This section sets forth the charges for Fire Department ambulance treatment and transport service.

(b) Effective [May 1, 2023] July 1, 2026, the charges for Fire Department ambulance treatment and transport service are as follows:

Type of Service	Charge
Basic Life Support Ambulance	[\$1,385.00] <u>\$1,793.00</u>
Basic Life Support Ambulance <u>Treatment in Place or</u> Facilitation of Treatment in Place	[\$630.00] <u>\$896.00</u>
Advanced Life Support Ambulance Service Level 1 (ALS1)	[\$1,680.00] <u>\$2,196.00</u>
Advanced Life Support Ambulance Service Level 2 (ALS2)	[\$1,692.00] <u>\$2,212.00</u>
Advanced Life Support Ambulance <u>Treatment in Place or</u> Facilitation of Treatment in Place	[\$1,050.00] <u>\$1,098.00</u>
Additional Charges:	
– Mileage (distance traveled to hospital or medical facility with patient)	\$20.00/mile
– Provision of Oxygen (as applicable)	\$66.00

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
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212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to Fees for Ambulance Treatment and Transport Services

REFERENCE NUMBER: FDNY-35

RULEMAKING AGENCY: Fire Department

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

March 31, 2026
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to Fees for Ambulance Treatment and Transport Services

REFERENCE NUMBER: 2026 RG 024

RULEMAKING AGENCY: Fire Department

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: March 31, 2026