

RESOLUTION NO. 2010-08

A RESOLUTION OF FREMONT COUNTY, IDAHO, ADOPTING A FEE OF THIRTY DOLLARS (\$30.00) ON FORCE BLOOD DRAWS IN ORDER TO COVER OVERHEAD COSTS SUCH AS, BUT NOT LIMITED TO, PERSONNEL AND EQUIPMENT COSTS.

WHEREAS, Idaho Code ' 31-870(1) provides that a county commission may impose and collect fees for services provided by the county that would otherwise be funded by ad valorem tax revenues; and

WHEREAS, Idaho Code ' 31-870(1) requires that such fees imposed must be reasonably related to the service provided and may not exceed the actual cost of the service provided; and

WHEREAS, Idaho Code § 18-8002 states, "any person who drives or is actual physical control of a motor vehicle in this state shall be deemed to have given his consent to evidentiary testing for concentration of alcohol;" and

WHEREAS, the State of Idaho allows peace officers to collect breath and blood specimens as evidence for prosecuting people suspected of operating a motor vehicle while intoxicated; and

WHEREAS, an officer of the law may order a forced blood draw if the person driving refuses the evidentiary testing for concentration of alcohol; and

WHEREAS, the safe collection of blood specimens requires separate specialized public health training and ongoing yearly medical education in order to ensure healthy and accurate phlebotomy; and

WHEREAS, such training is geared for health technicians consistently practicing phlebotomy on a daily basis in a controlled setting with emergency health services close at hand; and

WHEREAS, Idaho Code § 18-8003, states in part, a qualified medical technologist can, at the order or request of a peace officer, withdraw blood for the purpose of determining the content of alcohol, drugs, or other intoxicating substances therein; and

WHEREAS, Fremont County does not currently have a set fee for forced blood draws; and

WHEREAS, these fees are necessary to cover the costs and expenses of overhead costs such as, but not limited to, personnel and equipment; and

WHEREAS, adopting a Thirty Dollar (\$30.00) forced blood draw fee is necessary to help meet the costs and expenses of overhead costs such as, but not limited to, personnel and equipment costs; and

Microfilm No. 527604
At 10:50 Day April 20 10 O'Clock AM
ABBIE MACE
FREMONT CO RECORDER
Fee \$ 0 Deputy
Recorded at Request of Abbie Mace

WHEREAS, a Thirty Dollar (\$30.00) forced blood draw fee shall help Fremont County meet but not exceed its expenses associated with the overhead costs such as, but not limited to, personnel and equipment; and

WHEREAS, the Thirty Dollar (\$30.00) fee collected shall be disbursed to the Fremont County EMS department.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, THAT A FEE OF THIRTY DOLLARS (\$30.00) SHALL BE PLACED ON FORCED BLOOD DRAWS IN ORDER TO COVER OVERHEAD COSTS SUCH AS, BUT NOT LIMITED TO, PERSONNEL AND EQUIPMENT COSTS.

This resolution shall be in full force and effect _____ days after its passage.

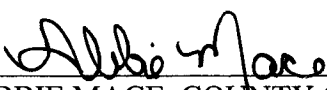
PASSED THIS 08 DAY OF March 2010, BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO.

BOARD OF COUNTY COMMISSIONERS
FREMONT COUNTY, IDAHO



PAUL ROMRELL, CHAIRMAN

ATTEST:



ABBIE MACE, COUNTY CLERK