



Sen. John M. Sullivan

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09500SB2300sam002

LRB095 19766 DRJ 49355 a

1 AMENDMENT TO SENATE BILL 2300

2 AMENDMENT NO. _____. Amend Senate Bill 2300, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Public Aid Code is amended by
6 changing Section 5-4.2 as follows:

7 (305 ILCS 5/5-4.2) (from Ch. 23, par. 5-4.2)

8 Sec. 5-4.2. Ground ambulance ~~Ambulance~~ services payments.

9 (a) For purposes of this Section, the following terms have
10 the following meanings:

11 "Department" means the Illinois Department of Healthcare
12 and Family Services.

13 "Ground ambulance services provider" means a vehicle
14 service provider as described in the Emergency Medical Services
15 (EMS) Systems Act that operates licensed ambulances for the
16 purpose of providing emergency ambulance services, or

1 non-emergency ambulance services, or both. For purposes of this
2 Section, this includes both ambulance providers and ambulance
3 suppliers as described by the Centers for Medicare and Medicaid
4 Services.

5 "Ground ambulance services" means medical transportation
6 services that are described as ground ambulance services by the
7 Centers for Medicare and Medicaid Services and provided in a
8 vehicle that is licensed as an ambulance by the Illinois
9 Department of Public Health pursuant to the Emergency Medical
10 Services (EMS) Systems Act.

11 "Rural county" means: any county not located in a U.S.
12 Bureau of the Census Metropolitan Statistical Area (MSA); or
13 any county located within a U.S. Bureau of the Census
14 Metropolitan Statistical Area but having a population of 60,000
15 or less.

16 (b) It is the intent of the General Assembly to provide for
17 the reimbursement of ground ambulance services as part of the
18 State Medicaid plan and to provide adequate reimbursement for
19 ground ambulance services under the State Medicaid plan so as
20 to ensure adequate access to ground ambulance services for both
21 recipients of aid under this Article and for the general
22 population of Illinois. Unless otherwise indicated in this
23 Section, the practices of the Department concerning payments
24 for ground ambulance services provided to recipients of aid
25 under this Article shall be consistent with the payment
26 principles of Medicare, including the statutes, regulations,

1 policies, procedures, principles, definitions, guidelines,
2 coding systems, including the ambulance condition coding
3 system, and manuals used by the Centers for Medicare and
4 Medicaid Services and the Medicare Part B Carrier for the State
5 of Illinois to determine the payment system to ground ambulance
6 services providers under Title XVIII of the Social Security
7 Act.

8 (c) For ground ambulance services provided to a recipient
9 of aid under this Article on or after July 1, 2008, the
10 Department shall reimburse ground ambulance services providers
11 for base charges and mileage charges based on the lesser of the
12 provider's charge, as reflected on the provider's claim form,
13 or the Illinois Medicaid Ambulance Fee Schedule rates
14 calculated in accordance with this Section.

15 Effective July 1, 2008 the Illinois Medicaid Ambulance Fee
16 Schedule shall be established and shall include only the ground
17 ambulance services rates outlined in the Medicare Ambulance Fee
18 Schedule as promulgated by the Centers for Medicare and
19 Medicaid Services and adjusted for the 4 Medicare Localities in
20 Illinois, with an adjustment of 100% of the Medicare Ambulance
21 Fee Schedule rates, by Medicare Locality, for both base rates
22 and mileage for rural counties, and an adjustment of 80% of the
23 Medicare Ambulance Fee Schedule rates, by Medicare Locality,
24 for both base rates and mileage for all other counties. The
25 transition from the current payment system to the Illinois
26 Medicaid Ambulance Fee Schedule shall be by a 3-year phase-in

1 as follows:

2 (1) Effective July 1, 2008 through June 30, 2009, for
3 each individual base rate and mileage rate, the payment
4 rate for ground ambulance services shall be based on 66.7%
5 of the Medicaid rate in effect as of January 1, 2008 and
6 33.3% of the Illinois Medicaid Ambulance Fee Schedule
7 amount in effect on July 1, 2008 for the designated
8 Medicare Locality, except that any rate that was previously
9 approved by the Department that exceeds this amount shall
10 remain in force.

11 (2) Effective July 1, 2009 through June 30, 2010, for
12 each individual base rate and mileage rate, the payment
13 rate for ground ambulance services shall be based on 33.3%
14 of the Medicaid rate in effect as of January 1, 2008 and
15 66.7% of the Illinois Medicaid Ambulance Fee Schedule
16 amount in effect on July 1, 2009 for the designated
17 Medicare Locality, except that any rate that was previously
18 approved by the Department that exceeds this amount shall
19 remain in force.

20 (3) Effective July 1, 2010, for each individual base
21 rate and mileage rate, the payment rate for ground
22 ambulance services shall be based on 100% of the Illinois
23 Medicaid Ambulance Fee Schedule amount in effect on July 1,
24 2010 for the designated Medicare Locality, except that any
25 rate that was previously approved by the Department that
26 exceeds this amount shall remain in force.

1 On July 1, 2009, and on each July 1 thereafter, the
2 Department shall update the Illinois Medicaid Ambulance Fee
3 Schedule rates to be in compliance with the Medicare Ambulance
4 Fee Schedule rates for ground ambulance services in effect at
5 the time of the update, in the manner prescribed in the second
6 paragraph of this subsection (c).

7 (d) Payment for mileage shall be per loaded mile with no
8 loaded mileage included in the base rate. If a natural
9 disaster, weather, or other conditions necessitate a route
10 other than the most direct route, reimbursement shall be based
11 on the actual distance traveled. Although a recognized
12 deviation from the payment principles in subsection (b) of this
13 Section, it is the intent of the General Assembly that the
14 mileage rate for urban providers, as defined by the Centers for
15 Medicare and Medicaid Services, be the only mileage rate paid
16 under the Illinois Medicaid Ambulance Fee Schedule and that no
17 other mileage rates that act as enhancements to the urban
18 mileage rate, whether permanent or temporary, be recognized by
19 the Department.

20 (e) The requirement for payment of ground ambulance
21 services by the Department is deemed to be met if the services
22 are provided pursuant to a request for evaluation, treatment,
23 and transport from an individual with a condition of such a
24 nature that a prudent layperson would have reasonably expected
25 that a delay in seeking immediate medical attention would have
26 been hazardous to life or health. This standard is deemed to be

1 met if there is an emergency medical condition manifesting
2 itself by acute symptoms of sufficient severity, including but
3 not limited to severe pain, such that a prudent layperson who
4 possesses an average knowledge of medicine and health can
5 reasonably expect that the absence of immediate medical
6 attention could result in placing the health of the individual
7 or, with respect to a pregnant woman, the health of the woman
8 or her unborn child, in serious jeopardy, cause serious
9 impairment to bodily functions, or cause serious dysfunction of
10 any bodily organ or part.

11 (f) For ground ambulance services provided to a recipient
12 enrolled in a Medicaid managed care plan by a provider that is
13 not a contracted provider to the Medicaid managed care plan in
14 question, payment for ground ambulance services by the Medicaid
15 managed care plan shall be the lesser of the provider's charge,
16 as reflected on the provider's claim form, or the Illinois
17 Medicaid Ambulance Fee Schedule rates calculated in accordance
18 with this Section.

19 (g) Nothing in this Section prohibits the Department from
20 setting reimbursement rates for out-of-State ground ambulance
21 services providers by administrative rule.

22 ~~For ambulance services provided to a recipient of aid under~~
23 ~~this Article on or after January 1, 1993, the Illinois~~
24 ~~Department shall reimburse ambulance service providers at~~
25 ~~rates calculated in accordance with this Section. It is the~~
26 ~~intent of the General Assembly to provide adequate~~

1 ~~reimbursement for ambulance services so as to ensure adequate~~
2 ~~access to services for recipients of aid under this Article and~~
3 ~~to provide appropriate incentives to ambulance service~~
4 ~~providers to provide services in an efficient and~~
5 ~~cost effective manner. Thus, it is the intent of the General~~
6 ~~Assembly that the Illinois Department implement a~~
7 ~~reimbursement system for ambulance services that, to the extent~~
8 ~~practicable and subject to the availability of funds~~
9 ~~appropriated by the General Assembly for this purpose, is~~
10 ~~consistent with the payment principles of Medicare. To ensure~~
11 ~~uniformity between the payment principles of Medicare and~~
12 ~~Medicaid, the Illinois Department shall follow, to the extent~~
13 ~~necessary and practicable and subject to the availability of~~
14 ~~funds appropriated by the General Assembly for this purpose,~~
15 ~~the statutes, laws, regulations, policies, procedures,~~
16 ~~principles, definitions, guidelines, and manuals used to~~
17 ~~determine the amounts paid to ambulance service providers under~~
18 ~~Title XVIII of the Social Security Act (Medicare).~~

19 ~~For ambulance services provided to a recipient of aid under~~
20 ~~this Article on or after January 1, 1996, the Illinois~~
21 ~~Department shall reimburse ambulance service providers based~~
22 ~~upon the actual distance traveled if a natural disaster,~~
23 ~~weather conditions, road repairs, or traffic congestion~~
24 ~~necessitates the use of a route other than the most direct~~
25 ~~route.~~

26 ~~For purposes of this Section, "ambulance services"~~

1 ~~includes medical transportation services provided by means of~~
2 ~~an ambulance, medi-car, service car, or taxi.~~

3 ~~This Section does not prohibit separate billing by~~
4 ~~ambulance service providers for oxygen furnished while~~
5 ~~providing advanced life support services.~~

6 (h) Beginning with services rendered on or after July 1,
7 2008, all providers of non-emergency medi-car and service car
8 transportation must certify that the driver and employee
9 attendant, as applicable, have completed a safety program
10 approved by the Department to protect both the patient and the
11 driver, prior to transporting a patient. The provider must
12 maintain this certification in its records. The provider shall
13 produce such documentation upon demand by the Department or its
14 representative. Failure to produce documentation of such
15 training shall result in recovery of any payments made by the
16 Department for services rendered by a non-certified driver or
17 employee attendant. Medi-car and service car providers must
18 maintain legible documentation in their records of the driver
19 and, as applicable, employee attendant that actually
20 transported the patient. Providers must recertify all drivers
21 and employee attendants every 3 years.

22 Notwithstanding the requirements above, any public
23 transportation provider of medi-car and service car
24 transportation that receives federal funding under 49 U.S.C.
25 5307 and 5311 need not certify its drivers and employee
26 attendants under this Section, since safety training is already

1 federally mandated.

2 (Source: P.A. 95-501, eff. 8-28-07.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".