

2019 Regular Session

HOUSE BILL NO. 204

BY REPRESENTATIVE PIERRE

MEDICAID: Provides relative to Medicaid provider fees assessed on nonpublic providers of emergency ground ambulance services

1 AN ACT

2 To amend and reenact R.S. 46:2626(F)(1)(introductory paragraph), (G)(1) and (5),

3 (H)(1)(d), and (I)(7), relative to Medicaid provider fees; to provide relative to fees

4 on emergency ground ambulance service providers for healthcare services funded by

5 the state Medicaid program; to authorize the Louisiana Department of Health to levy

6 and collect fees on nonpublic providers of emergency ground ambulance services for

7 certain nonemergency transportation services; to provide conditions under which the

8 department may assess such fees; to provide for reimbursement enhancements for

9 providers of certain services subject to Medicaid provider fees; to provide for uses

10 of funds from the Emergency Ground Ambulance Service Provider Trust Fund

11 Account established by the state treasurer within the Louisiana Medical Assistance

12 Trust Fund; to provide for definitions; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 46:2626(F)(1)(introductory paragraph), (G)(1) and (5), (H)(1)(d), and

15 (I)(7) are hereby amended and reenacted to read as follows:

16 §2626. Fees on emergency ground ambulance service providers; disposition of fees

17 * * *

18 F. Notwithstanding any provision of this Section to the contrary, the

19 department shall adopt and promulgate, pursuant to the Administrative Procedure

20 Act and in compliance with Article VII, Section 10.14 of the Constitution of

1 Louisiana, a fee to be imposed pursuant to Subsection A of this Section in
2 accordance with all of the following:

3 (1) The department shall calculate, levy, and collect a fee from every
4 emergency ground ambulance service provider on each emergency and
5 nonemergency ground ambulance transport upon the occurrence of all of the
6 following:

7 * * *

8 G. For each year in which the assessment is in effect, the department shall
9 provide for reimbursement enhancements in accordance with all of the following:

10 (1) Reimbursement or payment to emergency ground ambulance service
11 providers by any state or state-sponsored program, including but not limited to the
12 Bayou Health Plans or their successors, at or above rates at the level which were in
13 effect on July 1, 2015, for emergency and nonemergency transport and related
14 services provided pursuant to the Louisiana medical assistance program provided
15 that funds are appropriated in the budget.

16 * * *

17 (5) Funds from the Emergency Ground Ambulance Service Provider Trust
18 Fund Account shall be used to achieve the maximum reimbursement under federal
19 law and appropriated solely to fund the reimbursement enhancements provided for
20 in Paragraph (4) of this Subsection as provided in the most recent formula adopted
21 by the legislature or the secretary as applicable and distributed exclusively among
22 emergency ground ambulance service providers for emergency and nonemergency
23 ambulance transportation services provided.

24 H.(1) No additional assessment shall be collected and any assessment shall
25 be terminated for the remainder of the fiscal year from the date on which any of the
26 following occur:

27 * * *

28 (d) The amount of the reimbursement for emergency and nonemergency
29 ground ambulance services payable by any participant in the Bayou Health Plan or

1 Medicaid managed care organization falls below one hundred percent of the
2 Medicaid rate in effect at the time the service is rendered.

3 * * *

4 I. For purposes of this Section, the following definitions apply:

5 * * *

6 (7) "Net operating revenue" means the gross revenues of the emergency
7 ground ambulance service provider for the provision of emergency and
8 nonemergency ground ambulance transportation services, excluding any Medicaid
9 reimbursements, less any deducted amounts for bad debts, charity care, and payer
10 discounts.

11 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 204 Original 2019 Regular Session Pierre

Abstract: Authorizes the La. Department of Health to assess Medicaid provider fees on nonemergency ground ambulance transportation services furnished by certain providers.

Present law authorizes the La. Department of Health (LDH) to impose fees for the provision of Medicaid-funded healthcare services commonly known as "provider fees" on emergency ground ambulance service providers. Provides for the amount and disposition of such fees.

Present law authorizes LDH to collect a provider fee from every emergency ground ambulance service provider on each emergency ground ambulance transport contingent upon certain conditions being satisfied.

Proposed law retains present law and adds nonemergency ground ambulance transport as a service for which emergency ground ambulance service providers may be assessed provider fees.

Proposed law adds references to nonemergency ground ambulance transportation services to the following provisions of present law which refer to emergency ground ambulance transportation services:

- (1) Provisions relative to provider fees.
- (2) Provisions relative to provider reimbursement enhancements.
- (3) Provisions relative to uses of funds from the Emergency Ground Ambulance Service Provider Trust Fund Account within the La. Medical Assistance Trust Fund.

(Amends R.S. 46:2626(F)(1)(intro. para.), (G)(1) and (5), (H)(1)(d), and (I)(7))