**Section 140.493 Payment for Helicopter Transportation**

Notwithstanding the provisions set forth in this Section, beginning July 1, 2002, the reimbursement rates paid for helicopter transportation services shall be the lesser of the provider's usual and customary charge to the general public or 94 percent of the fiscal year 2002 rate otherwise determined by the Department under this Section. Notwithstanding Section 140.405, beginning with dates of service July 1, 2013 and thereafter, the Department's established maximum rate for helicopter transportation services shall be equivalent to 100% of the rate in effect on June 30, 2012, as reflected on the Department's Fee Schedule. Payment for helicopter transportation services shall be made in accordance with the methodologies outlined in this Section. In no case shall rates exceed the Medicare allowable, where applicable, or the rates charged to the general public. The Department shall pay for medically necessary helicopter transportation services provided in accordance with Section 140.491(b)(3) at an all inclusive rate that includes base rate, mileage, supplies and all other services.

a) Helicopter transportation providers will be reimbursed a maximum rate per trip or the usual and customary charges, whichever is less.

b) If a hospital provides the transport team but does not own the helicopter, the Department will equally divide the established reimbursement rate or the usual and customary charges of the provider, whichever is less, between the hospital and the helicopter provider.

c) Hospitals that own their own helicopter and report its costs on their cost reports will not be paid for helicopter transportation services.

d) The Department shall not cover the services of helicopter transportation providers that have entered into payment agreements with receiving facilities.

e) Helicopter transportation claims that are denied because the patient does not meet the medically necessary criteria (see Section 140.491(b)(3)), but does meet emergency ground transportation criteria, will be reimbursed by the Department at the appropriate ground rate.

(Source: Amended at 37 Ill. Reg. 20339, effective December 9, 2013)