

# HB3048



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

**HB3048**

Introduced 2/17/2023, by Rep. Lance Yednock

### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-5.7b

Amends the Medical Assistance Article of the Illinois Public Aid Code. Removes ambulance and EMS agencies that are privately held from the definition of "qualifying ground ambulance service provider".

LRB103 29926 KTG 56340 b

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 changing Section 5-5.7b as follows:

6 (305 ILCS 5/5-5.7b)

7 Sec. 5-5.7b. Pandemic related stability payments to  
8 ambulance service providers in response to COVID-19.

9 (a) Definitions. As used in this Section:

10 "Ambulance Services Industry" means the industry that is  
11 comprised of "Qualifying Ground Ambulance Service Providers",  
12 as defined in this Section.

13 "Qualifying Ground Ambulance Service Provider" means a  
14 "vehicle service provider," as that term is defined in Section  
15 3.85 of the Emergency Medical Services (EMS) Systems Act,  
16 which operates licensed ambulances for the purpose of  
17 providing emergency, non-emergency ambulance services, or both  
18 emergency and non-emergency ambulance services. The term  
19 "Qualifying Ground Ambulance Service Provider" is limited to  
20 ambulance and EMS agencies ~~that are privately held~~ and  
21 nonprofit organizations headquartered within the State and  
22 licensed by the Department of Public Health as of March 12,  
23 2020.

1 "Eligible worker" means a staff member of a Qualifying  
2 Ground Ambulance Service Provider engaged in "essential work",  
3 as defined by Section 9901 of the ARPA and related federal  
4 guidance, and (1) whose total pay is below 150% of the average  
5 annual wage for all occupations in the worker's county of  
6 residence, as defined by the BLS Occupational Employment and  
7 Wage Statistics or (2) is not exempt from the federal Fair  
8 Labor Standards Act overtime provisions.

9 (b) Purpose. The Department may receive federal funds  
10 under the authority of legislation passed in response to the  
11 Coronavirus epidemic, including, but not limited to, the  
12 American Rescue Plan Act of 2021, P.L. 117-2 (the "ARPA").  
13 Upon receipt or availability of such State or federal funds,  
14 and subject to appropriations for their use, the Department  
15 shall establish and administer programs for purposes allowable  
16 under Section 9901 of the ARPA to provide financial assistance  
17 to Qualifying Ground Ambulance Service Providers for premium  
18 pay for eligible workers, to provide reimbursement for  
19 eligible expenditures, and to provide support following the  
20 negative economic impact of the COVID-19 public health  
21 emergency on the Ambulance Services Industry. Financial  
22 assistance may include, but is not limited to, grants, expense  
23 reimbursements, or subsidies.

24 (b-1) By December 31, 2022, the Department shall obtain  
25 appropriate documentation from Qualifying Ground Ambulance  
26 Service Providers to ascertain an accurate count of the number

1 of licensed vehicles available to serve enrollees in the  
2 State's medical assistance programs, which shall be known as  
3 the "total eligible vehicles". By February 28, 2023,  
4 Qualifying Ground Ambulance Service Providers shall be  
5 initially notified of their eligible award, which shall be the  
6 product of (i) the total amount of funds allocated under this  
7 Section and (ii) a quotient, the numerator of which is the  
8 number of licensed ground ambulance vehicles of an individual  
9 Qualifying Ground Ambulance Service Provider and the  
10 denominator of which is the total eligible vehicles. After  
11 March 31, 2024, any unobligated funds shall be reallocated pro  
12 rata to the remaining Qualifying Ground Ambulance Service  
13 Providers that are able to prove up eligible expenses in  
14 excess of their initial award amount until all such  
15 appropriated funds are exhausted.

16 Providers shall indicate to the Department what portion of  
17 their award they wish to allocate under the purposes outlined  
18 under paragraphs (d), (e), or (f), if applicable, of this  
19 Section.

20 (c) Non-Emergency Service Certification. To be eligible  
21 for funding under this Section, a Qualifying Ground Ambulance  
22 Service Provider that provides non-emergency services to  
23 institutional residents must certify whether or not it is able  
24 to provide non-emergency ambulance services to individuals  
25 enrolled in the State's Medical Assistance Program and  
26 residing in non-institutional settings for at least one year

1 following the receipt of funding pursuant to this amendatory  
2 Act of the 102nd General Assembly. Certification indicating  
3 that a provider has such an ability does not mean that a  
4 provider is required to accept any or all requested  
5 transports.

6 (d) Premium Pay Initiative. Subject to paragraph (c) of  
7 this Section, the Department shall establish a Premium Pay  
8 Initiative to distribute awards to each Qualifying Ground  
9 Ambulance Service Provider for the purpose of providing  
10 premium pay to eligible workers.

11 (1) Financial assistance pursuant to this paragraph  
12 (d) shall be scaled based on a process determined by the  
13 Department. The amount awarded to each Qualifying Ground  
14 Ambulance Service Provider shall be up to \$13 per hour for  
15 each eligible worker employed.

16 (2) The financial assistance awarded shall only be  
17 expended for premium pay for eligible workers, which must  
18 be in addition to any wages or remuneration the eligible  
19 worker has already received and shall be subject to the  
20 other requirements and limitations set forth in the ARPA  
21 and related federal guidance.

22 (3) Upon receipt of funds, the Qualifying Ground  
23 Ambulance Service Provider shall distribute funds such  
24 that an eligible worker receives an amount up to \$13 per  
25 hour but no more than \$25,000 for the duration of the  
26 program. The Qualifying Ground Ambulance Service Provider

1 shall provide a written certification to the Department  
2 acknowledging compliance with this paragraph (d).

3 (4) No portion of these funds shall be spent on  
4 volunteer staff.

5 (5) These funds shall not be used to make retroactive  
6 premium payments prior to the effective date of this  
7 amendatory Act of the 102nd General Assembly.

8 (6) The Department shall require each Qualifying  
9 Ground Ambulance Service Provider that receives funds  
10 under this paragraph (d) to submit appropriate  
11 documentation acknowledging compliance with State and  
12 federal law on an annual basis.

13 (e) COVID-19 Response Support Initiative. Subject to  
14 paragraph (c) of this Section and based on an application  
15 filed by a Qualifying Ground Ambulance Service Provider, the  
16 Department shall establish the Ground Ambulance COVID-19  
17 Response Support Initiative. The purpose of the award shall be  
18 to reimburse Qualifying Ground Ambulance Service Providers for  
19 eligible expenses under Section 9901 of the ARPA related to  
20 the public health impacts of the COVID-19 public health  
21 emergency, including, but not limited to: (i) costs incurred  
22 due to the COVID-19 public health emergency; (ii) costs  
23 related to vaccination programs, including vaccine incentives;  
24 (iii) costs related to COVID-19 testing; (iv) costs related to  
25 COVID-19 prevention and treatment equipment; (v) expenses for  
26 medical supplies; (vi) expenses for personal protective

1 equipment; (vii) costs related to isolation and quarantine;  
2 (viii) costs for ventilation system installation and  
3 improvement; (ix) costs related to other emergency response  
4 equipment, such as ground ambulances, ventilators, cardiac  
5 monitoring equipment, defibrillation equipment, pacing  
6 equipment, ambulance stretchers, and radio equipment; and (x)  
7 other emergency medical response expenses.

8 (1) The award shall be for eligible obligated  
9 expenditures incurred no earlier than May 1, 2022 and no  
10 later than June 30, 2024. Expenditures under this  
11 paragraph must be incurred by June 30, 2025.

12 (2) Funds awarded under this paragraph (e) shall not  
13 be expended for premium pay to eligible workers.

14 (3) The Department shall require each Qualifying  
15 Ground Ambulance Service Provider that receives funds  
16 under this paragraph (e) to submit appropriate  
17 documentation acknowledging compliance with State and  
18 federal law on an annual basis. For purchases of medical  
19 equipment or other capital expenditures, the Qualifying  
20 Ground Ambulance Service Provider shall include  
21 documentation that describes the harm or need to be  
22 addressed by the expenditures and how that capital  
23 expenditure is appropriate to address that identified harm  
24 or need.

25 (f) Ambulance Industry Recovery Program. If the Department  
26 designates the Ambulance Services Industry as an "impacted

1 industry", as defined by the ARPA and related federal  
2 guidance, the Department shall establish the Ambulance  
3 Industry Recovery Grant Program, to provide aid to Qualifying  
4 Ground Ambulance Service Providers that experienced staffing  
5 losses due to the COVID-19 public health emergency.

6 (1) Funds awarded under this paragraph (f) shall not  
7 be expended for premium pay to eligible workers.

8 (2) Each Qualifying Ground Ambulance Service Provider  
9 that receives funds under this paragraph (f) shall comply  
10 with paragraph (c) of this Section.

11 (3) The Department shall require each Qualifying  
12 Ground Ambulance Service Provider that receives funds  
13 under this paragraph (f) to submit appropriate  
14 documentation acknowledging compliance with State and  
15 federal law on an annual basis.

16 (Source: P.A. 102-699, eff. 4-19-22; 102-1118, eff. 1-18-23.)