



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB3570

Introduced 2/28/2007, by Rep. Dan Reitz

#### SYNOPSIS AS INTRODUCED:

305 ILCS 5/5-4.2

from Ch. 23, par. 5-4.2

Amends the Illinois Public Aid Code. Provides a guideline for the repayment of ambulance services for emergency ambulance services, non-emergency ambulance services, mileage, advanced life support services, and specialty care transport services. Provides that the requirement for payment of ground ambulance services by the Illinois Department of Public Aid is met if the services are provided pursuant to a request for evaluation, treatment, and transport for an individual with a condition of such a nature that a prudent layperson would have reasonably expected that a delay in seeking immediate medical attention would have been hazardous to life or health. Requires the Department to annually update the ambulance fee schedule rates on July 1 of each year.

LRB095 03863 LCT 23894 b

FISCAL NOTE ACT  
MAY APPLY

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 5-4.2 as follows:

6 (305 ILCS 5/5-4.2) (from Ch. 23, par. 5-4.2)

7 Sec. 5-4.2. Ambulance services payments.

8 (a) It is the intent of the General Assembly to provide  
9 adequate reimbursement for ambulance services so as to ensure  
10 adequate access to services for both recipients of aid under  
11 this Article and for the general population of Illinois. Unless  
12 otherwise indicated in this Section, the practices of the  
13 Illinois Department where it concerns ambulance service  
14 payments shall be consistent with the payment principals of  
15 Medicare to include the statutes, laws, regulations, policies,  
16 procedures, principles, definitions, guidelines, coding  
17 systems, including the ambulance condition coding system, and  
18 manuals used to determine the payment system to ambulance  
19 service providers under Title XVIII of the Social Security Act.

20 (b) For ambulance services provided to a recipient of aid  
21 under this Article on or after July 1, 2007 ~~January 1, 1993,~~  
22 the Illinois Department shall reimburse ambulance service  
23 providers at rates calculated in accordance with this Section.

1           (1) Payment for non-emergency ambulance services base  
2           rates shall be at a rate that is the lesser of the  
3           provider's charge, as reflected on the provider's claim  
4           form, or 60% of the Medicare Ambulance Fee Schedule amount  
5           for the designated Medicare Locality, except that any  
6           non-emergency base rate previously approved by the  
7           Illinois Department that exceeds 60% of the Medicare  
8           Ambulance Fee Schedule amount for the designated Medicare  
9           Locality shall remain in force.

10           (2) Payment for emergency ambulance services base  
11           rates shall be at a rate that is the lesser of the  
12           provider's charge, as reflected on the provider's claim  
13           form, or 80% of the Medicare Ambulance Fee Schedule amount  
14           for the designated Medicare Locality, except that any  
15           emergency base rate previously approved by the Illinois  
16           Department that exceeds 80% of the Medicare Ambulance Fee  
17           Schedule amount for the designated Medicare Locality shall  
18           remain in force.

19           (3) Payment for mileage shall be per loaded mile with  
20           no loaded mileage included in the base rate. If a natural  
21           disaster, weather, or other conditions necessitate a route  
22           other than the most direct route, reimbursement will be  
23           based upon the actual distance traveled. For mileage  
24           associated to emergency base rates, payment shall be at a  
25           rate, which is the lesser of the provider's charge, as  
26           reflected on the provider's claim form, or 80% of the

1 Medicare Ambulance Fee Schedule rate for the designated  
2 Medicare Locality, except that any mileage rate previously  
3 approved by the Illinois Department that exceeds 80% of the  
4 Medicare Ambulance Fee Schedule rate for the designated  
5 Medicare Locality shall remain in force. For mileage  
6 associated to non-emergency base rates, payment shall be at  
7 a rate that is the lesser of the provider's charge, as  
8 reflected on the provider's claim form, or 60% of the  
9 Medicare Ambulance Fee Schedule rate for the designated  
10 Medicare Locality, except that any mileage rate previously  
11 approved by the Illinois Department that exceeds 60% of the  
12 Medicare Ambulance Fee Schedule rate for the designated  
13 Medicare Locality shall remain in force.

14 (4) For advanced life support services and specialty  
15 care transport services provided during transport of a  
16 patient between hospitals in an emergency situation for a  
17 higher level of care, payments shall be made at the  
18 emergency base rate and all other such services shall be  
19 paid at the non-emergency base rate.

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

1 deemed to be met if there is an emergency medical condition  
2 manifesting itself by acute symptoms of sufficient severity,  
3 including but not limited to severe pain, such that a prudent  
4 layperson who possesses an average of knowledge of medicine and  
5 health can reasonably expect 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 (d) The Illinois Department shall update the Medicaid  
12 ambulance fee schedule rates annually on July 1 to be in  
13 compliance with the Medicare ambulance fee schedule rates in  
14 effect at the time of the update. ~~It is the intent of the~~  
15 ~~General Assembly to provide adequate reimbursement for~~  
16 ~~ambulance services so as to ensure adequate access to services~~  
17 ~~for recipients of aid under this Article and to provide~~  
18 ~~appropriate incentives to ambulance service providers to~~  
19 ~~provide services in an efficient and cost effective manner.~~  
20 ~~Thus, it is the intent of the General Assembly that the~~  
21 ~~Illinois Department implement a reimbursement system for~~  
22 ~~ambulance services that, to the extent practicable and subject~~  
23 ~~to the availability of funds appropriated by the General~~  
24 ~~Assembly for this purpose, is consistent with the payment~~  
25 ~~principles of Medicare. To ensure uniformity between the~~  
26 ~~payment principles of Medicare and Medicaid, the Illinois~~

1 ~~Department shall follow, to the extent necessary and~~  
2 ~~practicable and subject to the availability of funds~~  
3 ~~appropriated by the General Assembly for this purpose, the~~  
4 ~~statutes, laws, regulations, policies, procedures, principles,~~  
5 ~~definitions, guidelines, and manuals used to determine the~~  
6 ~~amounts paid to ambulance service providers under Title XVIII~~  
7 ~~of the Social Security Act (Medicare).~~

8 ~~For ambulance services provided to a recipient of aid under~~  
9 ~~this Article on or after January 1, 1996, the Illinois~~  
10 ~~Department shall reimburse ambulance service providers based~~  
11 ~~upon the actual distance traveled if a natural disaster,~~  
12 ~~weather conditions, road repairs, or traffic congestion~~  
13 ~~necessitates the use of a route other than the most direct~~  
14 ~~route.~~

15 (e) For purposes of this Section, "ambulance services"  
16 includes medical transportation services provided by means of a  
17 licensed ambulance and does not include transportation  
18 services provided by a an ambulance, medi-car, service car, or  
19 taxi, or other form of transportation not defined as an  
20 ambulance service by Medicare or the Illinois Emergency Medical  
21 Services Systems Act.

22 ~~This Section does not prohibit separate billing by~~  
23 ~~ambulance service providers for oxygen furnished while~~  
24 ~~providing advanced life support services.~~

25 (Source: P.A. 88-104; 89-43, eff. 1-1-96.)