



Rep. Lou Lang

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1 AMENDMENT TO SENATE BILL 769

2 AMENDMENT NO. _____. Amend Senate Bill 769, AS AMENDED, by
3 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. Ambulance services payments.

9 (a) For ambulance services provided to a recipient of aid
10 under this Article on or after January 1, 1993, the Illinois
11 Department shall reimburse ambulance service providers at
12 rates calculated in accordance with this Section. It is the
13 intent of the General Assembly to provide adequate
14 reimbursement for ambulance services so as to ensure adequate
15 access to services for recipients of aid under this Article and
16 to provide appropriate incentives to ambulance service

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

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

23 (b-1) It is the intent of the General Assembly to provide
24 adequate reimbursement for the cost of fuel used during the
25 provision of emergency ambulance services. Beginning with
26 emergency ambulance services rendered on or after July 1, 2011,

1 the Department shall reimburse no less than 75% of the Medicare
2 mileage rate for emergency ambulance services.

3 (c) For purposes of this Section, "ambulance services"
4 includes medical transportation services provided by means of
5 an ambulance, medi-car, service car, or taxi.

6 (c-1) For purposes of this Section, "ground ambulance
7 service" means medical transportation services that are
8 described as ground ambulance services by the Centers for
9 Medicare and Medicaid Services and provided in a vehicle that
10 is licensed as an ambulance by the Illinois Department of
11 Public Health pursuant to the Emergency Medical Services (EMS)
12 Systems Act.

13 (c-2) For purposes of this Section, "ground ambulance
14 service provider" means a vehicle service provider as described
15 in the Emergency Medical Services (EMS) Systems Act that
16 operates licensed ambulances for the purpose of providing
17 emergency ambulance services, or non-emergency ambulance
18 services, or both. For purposes of this Section, this includes
19 both ambulance providers and ambulance suppliers as described
20 by the Centers for Medicare and Medicaid Services.

21 (d) This Section does not prohibit separate billing by
22 ambulance service providers for oxygen furnished while
23 providing advanced life support services.

24 (e) Beginning with services rendered on or after July 1,
25 2008, all providers of non-emergency medi-car and service car
26 transportation must certify that the driver and employee

1 attendant, as applicable, have completed a safety program
2 approved by the Department to protect both the patient and the
3 driver, prior to transporting a patient. The provider must
4 maintain this certification in its records. The provider shall
5 produce such documentation upon demand by the Department or its
6 representative. Failure to produce documentation of such
7 training shall result in recovery of any payments made by the
8 Department for services rendered by a non-certified driver or
9 employee attendant. Medi-car and service car providers must
10 maintain legible documentation in their records of the driver
11 and, as applicable, employee attendant that actually
12 transported the patient. Providers must recertify all drivers
13 and employee attendants every 3 years.

14 Notwithstanding the requirements above, any public
15 transportation provider of medi-car and service car
16 transportation that receives federal funding under 49 U.S.C.
17 5307 and 5311 need not certify its drivers and employee
18 attendants under this Section, since safety training is already
19 federally mandated.

20 (f) With respect to any policy or program administered by
21 the Department or its agent regarding approval of non-emergency
22 medical transportation by ground ambulance service providers,
23 including, but not limited to, the Non-Emergency
24 Transportation Services Prior Approval Program (NETSPAP), the
25 Department shall establish by rule a process by which ground
26 ambulance service providers of non-emergency medical

1 transportation may appeal any decision by the Department or its
2 agent for which no denial was received prior to the time of
3 transport that either (i) denies a request for approval for
4 payment of non-emergency transportation by means of ground
5 ambulance service or (ii) grants a request for approval of
6 non-emergency transportation by means of ground ambulance
7 service at a level of service that entitles the ground
8 ambulance service provider to a lower level of compensation
9 from the Department than the ground ambulance service provider
10 would have received as compensation for the level of service
11 requested. The rule shall be established within 12 months after
12 the effective date of this amendatory Act of the 97th General
13 Assembly and shall provide that, for any decision rendered by
14 the Department or its agent on or after the date the rule takes
15 effect, the ground ambulance service provider shall have 60
16 days from the date the decision is received to file an appeal.
17 The rule established by the Department shall be, insofar as is
18 practical, consistent with the Illinois Administrative
19 Procedure Act. The Director's decision on an appeal under this
20 Section shall be a final administrative decision subject to
21 review under the Administrative Review Law.

22 (Source: P.A. 97-584, eff. 8-26-11.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."