



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) Beginning with dates of service on or after July 1,  
24 2011, the Department shall by rule establish reimburse rates  
25 for licensed ground ambulance providers at 90% of the 2011  
26 Medicare emergency services base mileage rate, excluding any

1 adjustment for rural/urban pickup differences, for loaded  
2 miles for approved non-emergency services and 50% of the 2011  
3 Medicare emergency services base mileage rate, excluding any  
4 adjustment for rural/urban pickup differences, for loaded  
5 miles for approved emergency services.

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

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

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

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

1           (e) Beginning with services rendered on or after July 1,  
2 2008, all providers of non-emergency medi-car and service car  
3 transportation must certify that the driver and employee  
4 attendant, as applicable, have completed a safety program  
5 approved by the Department to protect both the patient and the  
6 driver, prior to transporting a patient. The provider must  
7 maintain this certification in its records. The provider shall  
8 produce such documentation upon demand by the Department or its  
9 representative. Failure to produce documentation of such  
10 training shall result in recovery of any payments made by the  
11 Department for services rendered by a non-certified driver or  
12 employee attendant. Medi-car and service car providers must  
13 maintain legible documentation in their records of the driver  
14 and, as applicable, employee attendant that actually  
15 transported the patient. Providers must recertify all drivers  
16 and employee attendants every 3 years.

17           Notwithstanding the requirements above, any public  
18 transportation provider of medi-car and service car  
19 transportation that receives federal funding under 49 U.S.C.  
20 5307 and 5311 need not certify its drivers and employee  
21 attendants under this Section, since safety training is already  
22 federally mandated.

23           (f) With respect to any policy or program administered by  
24 the Department or its agent regarding approval of non-emergency  
25 medical transportation by ground ambulance service providers,  
26 including, but not limited to, the Non-Emergency

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

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

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".