

House Bill 1720 (COMMITTEE SUBSTITUTE)

By: Representatives Westmoreland of the 86th, Channell of the 77th, Graves of the 106th, Shaw of the 143rd, and O`Neal of the 117th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 8 of Title 31 of the Official Code of Georgia Annotated,
2 relating to the Indigent Care Trust Fund, so as to provide for reimbursement for ambulance
3 services for Medicaid recipients as an authorized expenditure from the Indigent Care Trust
4 Fund; to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
5 the "Georgia Medical Assistance Act of 1977," so as to provide for definitions; to provide
6 for certain payments for ambulance services for recipients of medical assistance; to provide
7 for the increase of license fees in the event of insufficient funding for ambulance services
8 reimbursement; to provide for related matters; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 6 of Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the
13 Indigent Care Trust Fund, is amended by striking Code Section 31-8-154, relating to
14 authorized expenditure of contributed funds, and inserting in its place the following:

15 "31-8-154.

16 All moneys contributed and revenues deposited and transferred to the trust fund pursuant
17 to this article and any interest earned on such moneys shall be appropriated to the
18 department for only the following purposes:

- 19 (1) To expand Medicaid eligibility and services;
- 20 (2) For programs to support rural and other health care providers, primarily hospitals,
21 who serve the medically indigent;
- 22 (3) For primary health care programs for medically indigent citizens and children of this
23 state; ~~or~~
- 24 (4) Any combination of purposes specified in paragraphs (1) through (3) of this Code
25 section; or

1 (5) To cover insufficiencies in funding for reimbursement of ambulance services, both
 2 ground and air, provided to a recipient of medical assistance in accordance with Code
 3 Section 49-4-158."

4 **SECTION 2.**

5 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, the "Georgia
 6 Medical Assistance Act of 1977," is amended by inserting a new Code section to be
 7 designated Code Section 49-4-158 to read as follows:

8 "49-4-158.

9 (a) As used in this Code section, the term:

10 (1) 'Ambulance services' shall have the same meaning as provided for under medicare;
 11 provided, however, that the department shall have the authority to interpret such term for
 12 purposes of this Code section.

13 (2) 'Levels of ambulance service' shall have the same meaning as provided for under
 14 medicare; provided, however, that the department shall have the authority to interpret
 15 such term for purposes of this Code section.

16 (3) 'Medicare' means coverage under both Parts A and B of Title XVIII of the Social
 17 Security Act, 42 U.S.C. Section 1395, et seq., as amended, and as provided for in
 18 Subchapter B of Chapter 4 of Title 42 of the Code of Federal Regulations.

19 (b) The department shall reimburse an ambulance provider, licensed pursuant to Article
 20 1 of Chapter 11 of Title 31, an amount equal to or greater than the amount paid under
 21 medicare, at any given time, for ambulance services provided to a recipient of medical
 22 assistance in accordance with the appropriate level of ambulance service.

23 (c) In the event that there are insufficient funds to cover the costs incurred pursuant to
 24 subsection (b) of this Code section, the department shall determine the amount of such
 25 insufficiency and shall notify the Board of Human Resources of such amount. Upon
 26 notification, the Board of Human Resources shall be responsible for increasing license fees
 27 pursuant to Code Section 31-11-31.1 in an amount intended to cover the insufficiency.
 28 This increase shall not be greater than the medicare inflation index charge-customary
 29 percentage published in the Federal Register for that calendar year. The department shall
 30 be authorized to utilize funds from the Indigent Care Trust Fund to cover an insufficiency
 31 in funding pursuant to Code Section 31-8-154."

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.