

The Senate Appropriations Committee offered the following substitute to HB 1720:

A BILL TO BE ENTITLED  
AN ACT

To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, the "Georgia Medical Assistance Act of 1977," so as to provide for definitions; to provide for certain payments for ambulance services for recipients of medical assistance; to provide for the increase of license fees in the event of insufficient funding for ambulance services reimbursement; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

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

"49-4-158.

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

(1) 'Ambulance fee schedule amount' is defined as the current year medicare ambulance fee schedule for Georgia for 'Locality 01' as published by the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services.

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

(3) 'Current payment allowance' is defined as the Georgia Medicaid rate in effect on January 1, 2004.

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

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

1 (b) The department shall reimburse an ambulance provider, licensed pursuant to Article  
2 1 of Chapter 11 of Title 31, for ambulance services provided to a recipient of medical  
3 assistance in accordance with the appropriate level of ambulance service subject to the  
4 following provisions:

5 (1) For dates of service from July 1, 2004, to June 30, 2005, the department shall  
6 reimburse rates pursuant to a state-wide fee schedule based on 40 percent of the current  
7 payment allowance and 60 percent of the ambulance fee schedule amount for each level  
8 of ambulance service. State-wide reimbursement for mileage shall be based on the 2004  
9 medicare rate for rural areas;

10 (2) For dates of service from July 1, 2005, to June 30, 2006, the department shall  
11 reimburse rates pursuant to a state-wide fee schedule based on 20 percent of the current  
12 payment allowance and 80 percent of the ambulance fee schedule amount for each level  
13 of ambulance service. State-wide reimbursement for mileage shall be based on the 2005  
14 medicare rate for rural areas; and

15 (3) For dates of service beginning July 1, 2006, the department shall reimburse an  
16 amount equal to the amount paid under medicare. The department shall subsequently  
17 increase rates each July thereafter based on the provisions of 42 C.F.R. 414.610(f).

18 (c) The department shall project the cost pursuant to subsection (b) of this Code section  
19 by January 15 of each year and determine whether sufficient funding exists in current  
20 department Medicaid benefit appropriations and existing ambulance licensure proceeds to  
21 cover the cost of reimbursement to ambulance providers for the fiscal year beginning in the  
22 subsequent July.

23 (d) 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 whether, under  
25 medicare regulations, additional ambulance license fees may be collected to cover the  
26 projected insufficiency for the following fiscal year. If it is determined that additional  
27 ambulance license fees may be collected under federal guidelines, the department shall  
28 notify the Board of Human Resources of the amount of insufficiency no later than April  
29 1 of each year. Upon notification, it shall be the responsibility of the Board of Human  
30 Resources to take action pursuant to Code Section 31-11-31.1 such that license fees are  
31 increased in an amount adequate to cover the projected insufficiency for the following  
32 fiscal year. The board shall take action to change fees with an effective date of the  
33 subsequent July 1.

34 (e) In the event that inaction by the Board of Human Resources to comply with subsection  
35 (d) of this Code section or federal regulations prohibit an increase in license fees sufficient  
36 to cover the additional cost incurred pursuant to subsection (b) of this Code section, the  
37 department shall cap reimbursement for ambulance services provided to a recipient of

1 medical assistance at the rates in effect prior to July 1 unless additional general state funds  
2 are appropriated to cover the amount of insufficiency. The department shall request such  
3 additional general state funds in the most proximate session of the General Assembly.

4 (f) Ambulance providers shall comply with the department's request to collect any and all  
5 information necessary to ensure compliance with federal regulations pursuant to licensure  
6 fee collections."

7 **SECTION 2.**

8 This Act shall become effective July 1, 2004.

9 **SECTION 3.**

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