

RÉSUMÉ DIGEST

ACT 171 (HB 493)

2023 Regular Session

Dustin Miller

Prior law provided that the La. Dept. of Health (LDH) may adopt and impose fees for healthcare services provided by the Medicaid program on emergency ground ambulance service providers. New law provides that LDH may adopt and impose fees on emergency ground ambulance service providers for services allowed under federal law provided by emergency ground ambulance providers.

Prior law required LDH to calculate, levy, and collect a fee from every emergency ground ambulance service provider on each emergency and nonemergency ground ambulance transport in certain instances as provided in prior law. New law requires LDH to calculate, levy, and collect a fee on each ground ambulance service allowed under federal law if reimbursements are implemented in accordance with existing law and approval is received from the Centers for Medicare and Medicaid Services (CMS).

Prior law required the total amount of the assessment to be paid by the emergency ground ambulance service provider in installments as prescribed by the secretary of LDH in conjunction with the agreement of emergency ground ambulance service providers within 30 days of the notification of the fee amount owed. New law repeals prior law.

Prior law required the total amount of assessment to be paid by the emergency ground ambulance service provider in installments and required that the assessments were due from the provider within 30 days of notification.

New law requires the total amount of the assessment to be paid in installments as prescribed by the secretary of LDH in conjunction with the agreement of those providers subject to the fee which provide a minimum of 65% of the emergency ground ambulance services. New law retains existing law 30-day due date.

Prior law required LDH to provide reimbursement enhancements for any Medicaid reimbursement or payment to emergency ground ambulance service providers at or above rates at the level which were in effect on July 1, 2015, if funds are appropriated in the budget.

New law requires LDH to provide reimbursement for ground ambulance transport and services at or above rates at the level which were in effect on July 1, 2022, plus an enhancement.

Prior law required enhancement payment levels to be sufficient to bring the payments for these services up to the average commercial rate level as described in existing law to the extent of the availability of funds in the Emergency Ground Ambulance Service Trust Fund.

New law requires enhancement payment levels to be sufficient to bring the payments for these services up to the level contained any applicable state plan amendment pertaining to emergency ground ambulance service provider reimbursement or payment approved by CMS.

Prior law prohibited an additional assessment from being collected and provided that any assessment shall be terminated for the remainder of the fiscal year from the date on which certain criteria are met as provided in prior law.

New law changes the qualifying criteria to the following:

- (1) The reimbursements are reduced below the base reimbursement.
- (2) The amount of the reimbursement for ground ambulance services payable by any Medicaid managed care organization falls below 100% of the Medicaid rate in effect at the time the service is rendered.

New law redefines "average commercial rate", "emergency ground ambulance service provider trust fund account", and "net operating revenue".

New law repeals prior law relative to department fee restrictions, reimbursement documentation, assessments, funds from the Emergency Ground Ambulance Service Provider Trust Fund Account, and circumstances for the termination of assessment.

Effective upon signature of governor (June 7, 2023).

(Amends R.S. 46:2626(A), (F), (G), (H)(1), and (I)(2), (6), and (7); Repeals R.S. 46:2626(B))