HB324

YSYC6N2-1

By Representatives Reynolds, Blackshear, Whitt, Lomax, Woods, Shaver, Wilcox, Kirkland, Stringer, Smith, Rehm, Marques, Sorrells, Robertson, Hammett, Underwood

RFD: Ways and Means General Fund

First Read: 19-Mar-24

SYNOPSIS:

Under current law, emergency medical transport providers pay a quarterly assessment to provide additional Medicaid enhancement payments for maintenance and expansion of emergency medical transport services. The assessment expires at the end of the fiscal quarter starting July 1, 2024.

This bill would extend the assessment period through the fiscal quarter starting July 1, 2025.

A BILL

TO BE ENTITLED

AN ACT

Relating to emergency medical transport providers; to amend Sections 40-26B-91, 40-26B-94, 40-26B-95, and 40-26B-99, Code of Alabama 1975, to extend the assessment on emergency medical providers through the fiscal quarter starting July 1, 2025.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 40-26B-91, 40-26B-94, 40-26B-95, and 40-26B-99, Code of Alabama 1975, are amended as follows:

"§40-26B-91

To provide further for the availability of indigent

health care, the operation of the Medicaid Program, and the maintenance and expansion of emergency medical transport services:

(1) Commencing no later than the fiscal quarter starting April 1, 2023, and through and including the fiscal quarter starting July 1, ~~2024~~2025, an assessment is imposed on each emergency medical transport provider based on emergency medical transports. The quarterly assessment for each emergency medical transport provider shall be calculated based on the product of the assessment rate and the total number of emergency medical transports rendered by the emergency medical transport provider from the previous fiscal quarter.

(2) In consultation with the Alabama Medicaid Agency, the department shall calculate the assessment rate by multiplying the projected total gross receipts for all emergency medical transport providers for a fiscal year by 5.3 percent, which resulting product shall be divided by the projected total annual emergency medical transports by all emergency medical transport providers for the fiscal year, subject to subsection (b) of Section 40-26B-98. In no case shall the proportion of assessments collected under this article divided by total gross receipts, expressed as a percentage, exceed half a percent less than the maximum percentage of the annual aggregate net patient revenue for emergency medical transport providers that is prescribed pursuant to federal law and regulations.

(3) The assessment imposed by this article is in addition to all other taxes and assessments of any kind now

imposed by law."

"§40-26B-94

(a) Commencing no later than the fiscal quarter starting April 1, 2023, and through and including the fiscal quarter starting July 1, ~~2024~~2025, on or before the 15th day after the close of each fiscal quarter, every emergency medical transport provider shall file with the department a statement under penalty of perjury on forms prescribed by the department, showing the total number of emergency medical transports, the total amount of gross receipts for the subject fiscal quarter, and other reasonable and necessary information as the department, after consultation with the Alabama Medicaid Agency and adoption of appropriate rules, may require for the proper enforcement of the provisions of this article.

(b) It shall be the duty of each emergency medical transport provider to keep and preserve suitable books and records as may be necessary to determine the amount of assessments for which it is liable under the provisions of this article. The books and records shall be kept and preserved for a period of not less than three years, and all such books and records shall be open for examination during business hours by the department or its duly authorized agents.

(c) All information secured pursuant to this article by the department shall be confidential, as prescribed by Section 40-2A-10, except that the department may provide such information to the Alabama Medicaid Agency as necessary for the proper administration of the Medicaid Program, or for the

department's proper administration of the assessment levied by this article.

(d) The department shall from time to time, as it deems desirable, adopt reasonable rules as necessary to provide for the orderly and efficient administration of the assessment levied by this article."

"§40-26B-95

(a) Commencing no later than the fiscal quarter starting April 1, 2023, and through and including the fiscal quarter starting July 1, ~~2024~~2025, the Alabama Medicaid Agency shall pay an emergency medical transport enhancement each fiscal quarter to emergency medical transport providers as set forth in this section on or before the last day of the quarter, except that Section 40-26B-97 shall apply to any fiscal quarter for which federal approval has not been obtained as of the first day of the fiscal quarter. The emergency medical transport enhancement shall be paid in addition to any other amounts payable to emergency medical transport providers with respect to those services and shall not affect any other payments to emergency medical transport providers.

(b) For each fiscal quarter, the emergency medical transport enhancement to each emergency medical transport provider shall be calculated as the total number of emergency medical transports reimbursed by the Alabama Medicaid Agency as the primary payor in accordance with Chapter 8 of the Medicaid Provider Manual to the emergency medical transport provider in the preceding fiscal quarter multiplied by the

transport enhancement rate.

(c) For each fiscal quarter, the Alabama Medicaid Agency shall establish the transport enhancement rate based on the assessment pool divided by the total number of emergency medical transports reimbursed by the Alabama Medicaid Agency as the primary payor to all emergency medical transport providers in the preceding fiscal quarter."

"§40-26B-99

(a) This article shall cease to be operative on the first day of the fiscal quarter beginning on or after the date one or more of the following conditions is satisfied:

(1) Federal financial participation under Title XIX of the Social Security Act is not available to the Alabama Medicaid Program for the purposes of this article at the approved federal medical assistance percentage, established under Section 1905 of the Social Security Act, for the applicable fiscal quarter.

(2) The state ceases to meet its obligation for the level of state funding not derived from the assessment established by this article as described in subsection (b) of Section 40-26B-96.

(b) On the earlier of the occurrence of one or more of the conditions listed in subsection (a) is satisfied on December 1, ~~2023~~2024, the department shall refund any remaining assessment pool to each provider of ground emergency medical transport services in proportion to the amount paid by the respective provider during the most recently completed quarterly payment period."

Section 2. This act shall become effective on June 1, 2024.