

Senate Bill 500

By: Senators Dixon of the 45th, Watson of the 1st, Albers of the 56th, Hufstetler of the 52nd and Still of the 48th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 provide certain requirements relating to subclasses of ground ambulance services; to revise
3 definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
7 Code Section 31-11-31.2, relating to ambulance service provider matching payments,
8 segregated account, appropriations from segregated account, audits, and rules and
9 regulations, as follows:

10 "31-11-31.2.

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

12 (1) 'Ambulance service' means an entity licensed by the Department of Public Health
13 pursuant to this chapter.

14 (2) 'Board' means the Board of Community Health.

15 (3) 'Department' means the Department of Community Health.

16 (4) 'Ground ambulance service' means an ambulance service that operates motor vehicles
17 registered with the Department of Public Health that are specially constructed and
18 equipped and are intended to be used for emergency transportation of patients.

19 ~~(4)~~(5) 'Provider matching payment' means a payment assessed by the board pursuant to
20 this Code section on providers which operate an ambulance service.

21 (b)(1) The board shall be authorized to establish and assess, by board rule, one or more
22 provider matching payments on a subclass of ambulance services, as defined by the
23 board; provided, however, that, if any such provider matching payment is established and
24 assessed, the provider matching payment shall comply with the requirements
25 of 42 C.F.R. 433.68. Any provider matching payment assessed pursuant to this Code
26 section shall not exceed the amount necessary to obtain federal financial participation
27 allowable under Title XIX of the federal Social Security Act. In the event that the board
28 establishes a subclass that includes ground ambulance services that respond to emergency
29 calls under the 9-1-1 system, whether such ground ambulance services are designated
30 as 9-1-1 providers or provide services under a service delivery contract for a
31 designated 9-1-1 provider, ground ambulance services that do not respond to emergency
32 calls under or are not dispatched through the 9-1-1 system shall be given the option to be
33 included in such subclass.

34 (2) The board shall be authorized to discontinue any provider matching payment
35 assessed pursuant to this Code section. The board shall cease to impose any such
36 provider matching payment if:

37 (A) The provider matching payments are not eligible for federal matching funds under
38 Title XIX of the federal Social Security Act; or

39 (B) The department, as a direct result of the enactment of this Code section, reduces
40 or supplants Medicaid payment rates to ambulance providers as such rates are in effect
41 on June 30, 2021, or reduces or supplants the provider matching payment rate

42 adjustment factors utilized in developing the state Fiscal Year 2021 capitated rates for
43 Medicaid managed care organizations.

44 (c)(1) Any provider matching payments assessed pursuant to this Code section shall be
45 deposited into a segregated account within the Indigent Care Trust Fund created pursuant
46 to Code Section 31-8-152 and used solely for the purpose of obtaining federal financial
47 participation for medical assistance payments to providers on behalf of Medicaid
48 recipients pursuant to Article 7 of Chapter 4 of Title 49. Any funds deposited into such
49 segregated account pursuant to this Code section shall be subject to appropriation by the
50 General Assembly.

51 (2) The department shall be authorized to impose a penalty of up to 6 percent on the
52 amount of any owed provider matching payments for any ambulance service that fails to
53 pay a provider matching payment within the time required by the department for each
54 month, or fraction thereof, that such provider matching payment is overdue. If a required
55 provider matching payment has not been received by the department in accordance with
56 department timelines, the department shall withhold an amount equal to the provider
57 matching payment and penalty owed from any medical assistance payment due such
58 ambulance service under the Medicaid program. Any provider matching payment
59 assessed pursuant to this Code section shall constitute a debt due the state and may be
60 collected by civil action and the filing of tax liens in addition to such methods provided
61 for in this Code section. Any penalty that accrues pursuant to this subsection shall be
62 credited to the applicable segregated account.

63 (d)(1) Notwithstanding any other provision of Chapter 8 of this title, the General
64 Assembly is authorized to appropriate as state funds to the department for use in any
65 fiscal year all revenues dedicated and deposited into one or more segregated accounts.
66 Such appropriations shall be authorized to be made for the sole purpose of obtaining
67 federal financial participation for medical assistance payments to providers on behalf of
68 Medicaid recipients pursuant to Article 7 of Chapter 4 of Title 49. Any appropriation

69 from a segregated account for any purpose other than such medical assistance payments
70 shall be void.

71 (2) Revenues appropriated to the department pursuant to this Code section shall be used
72 to match federal funds that are available for the purpose for which such funds have been
73 appropriated.

74 (3) Appropriations from a segregated account to the department shall not lapse to the
75 general fund at the end of the fiscal year.

76 (e) The department shall have the authority to inspect and copy the records of an
77 ambulance service for purposes of auditing the calculation of the provider matching
78 payment. All information obtained by the department pursuant to this Code section shall
79 be confidential and shall not constitute a public record.

80 (f) The board shall be authorized to establish rules and regulations to assess and collect
81 any such provider matching payments, including, but not limited to, payment frequency
82 and schedules, required information to be submitted, and record retention."

83 **SECTION 2.**

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