

SENATE BILL 2168

By Walley

AN ACT to amend Tennessee Code Annotated, Title 71,
relative to ambulance services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-165, is amended by deleting the section and substituting:

(a) As used in this section:

(1) "Ambulance service provider" means a public or private ground-based rural or urban ambulance service that bills for transports and has a base of operations in this state;

(2) "Rural ambulance service" means an ambulance service in which the point of pick up occurs in a rural area;

(3) "Rural area" has the same meaning as defined in 42 C.F.R. § 414.605 and means an area located outside an urban area, or a rural census tract within a Metropolitan Statistical Area as determined under the most recent version of the Goldsmith modification as determined by the office of rural health policy of the health resources and services administration within the United States department of health and human services;

(4) "Urban ambulance service" means an ambulance service in which the point of pick up occurs in an urban area; and

(5) "Urban area" has the same meaning as defined in 42 CFR § 414.605 and means a Metropolitan Statistical Area, as defined by the federal executive office of management and budget.

(b) The bureau of TennCare shall:

(1) Reimburse an ambulance service provider for providing a covered urban ambulance service to a TennCare recipient at a rate not less than sixty-seven and one-half percent (67.5%) of the federal medicare program's allowable charge for participating providers; and

(2) Reimburse an ambulance service provider for providing a covered rural ambulance service to a TennCare recipient at a rate not less than one hundred percent (100%) of the federal medicare program's allowable charge for participating providers.

(c) This section does not affect the Ground Ambulance Service Provider Assessment Act, compiled under part 15 of this chapter. Funds described under this section and part 15 of this chapter must not be used to fund the other.

(d) The bureau of TennCare shall seek an intergovernmental transfer of funds in consultation with and subject to approval of the commissioner of finance and administration for the sole purpose of increasing the rate of reimbursement to ambulance service providers that provide covered services to TennCare recipients at a rate greater than the rates described under subsection (b).

(e) The bureau of TennCare, in consultation with and subject to approval of the commissioner of finance and administration, shall develop and implement a program substantially similar to the federal centers for medicare and medicaid services' Emergency Triage, Treat, and Transport (ET3) model, established pursuant to Section 1115A of the federal Social Security Act (42 U.S.C. § 1315a), in a manner that complies with this section.

(f) For-profit ambulance service providers providing rural ambulance services are eligible to receive emergency medical services equipment grants.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.