

SENATE BILL No. 186

By Committee on Ways and Means

2-10

1 AN ACT relating to reimbursement to eligible providers for medicaid  
2 ground emergency medical transportation services.

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) An eligible provider, as described in subsection (b), in  
6 addition to the rate of payment that the provider would otherwise receive  
7 for medicaid ground emergency medical transportation services, shall  
8 receive supplemental medicaid reimbursement to the extent provided by  
9 law.

10 (b) A provider shall be eligible for supplemental reimbursement only  
11 if the provider meets the following conditions during the ~~state fiscal year~~:

reporting period

12 (1) Provides ground emergency medical transportation services to  
13 medicaid beneficiaries;

14 (2) is a provider that is enrolled as a medicaid provider for the period  
15 being claimed; and

16 (3) is owned or operated by the state, a political subdivision or local  
17 government, that employs or contracts with persons ~~who are licensed to~~  
18 provide emergency medical services in the state of Kansas, ~~and includes~~  
19 private entities to the extent permissible under federal law.

or permitted

or providers

20 (c) An eligible provider's supplemental reimbursement pursuant to  
21 this section shall be calculated and paid as follows:

22 (1) The supplemental reimbursement to an eligible provider, as  
23 described in subsection (b), shall be equal to the amount of federal  
24 financial participation received as a result of the claims submitted pursuant  
25 to subsection (f)(2);

including hospitals and

26 (2) in no instance may the amount certified pursuant to subsection (e)  
27 (1), when combined with the amount received from all other sources of  
28 reimbursement from the medicaid program, exceed or be less than 100%  
29 of actual costs, as determined pursuant to the medicaid state plan, for  
30 ground emergency medical transportation services; and

31 (3) the supplemental medicaid reimbursement provided by this  
32 section must be distributed exclusively to eligible providers under a  
33 payment methodology based on ground emergency medical transportation  
34 services provided to medicaid beneficiaries by eligible providers on a per-  
35 transport basis or other federally permissible basis. The department of  
36 health and environment shall obtain approval from the federal centers for

1 federal law.

2 Sec. 2. (a) The department of health and environment shall design  
3 and implement, in consultation and coordination with eligible providers as  
4 described in subsection (b), an intergovernmental transfer program relating  
5 to medicaid managed care, ground emergency medical transport services  
6 and those services provided by emergency medical services personnel at  
7 the emergency medical responder, emergency medical technician,  
8 advanced emergency medical technician and paramedic levels in the pre-  
9 stabilization and preparation for transport ~~in order to increase capitation~~  
10 ~~payments for the purpose of increasing reimbursement to eligible~~  
11 ~~providers.~~

12 (b) A provider shall be eligible for ~~increased reimbursement~~ pursuant  
13 to this section only if the provider meets both of the following conditions  
14 in an applicable ~~state fiscal year~~:

15 (1) Provides ground emergency medical transport services to  
16 medicaid managed care enrollees pursuant to a contract or other  
17 arrangement with a medicaid managed care plan; and

18 (2) is owned or operated by the state, a political subdivision or local  
19 government that employs or contracts with persons ~~who are licensed by~~  
20 ~~the department~~ to provide emergency medical services in the state of  
21 Kansas.

22 (c) To the extent intergovernmental transfers are voluntarily made by,  
23 and accepted from, an eligible provider described in subsection (b), or a  
24 governmental entity affiliated with an eligible provider, the department  
25 shall make increased capitation payments to applicable medicaid managed  
26 care plans ~~for covered ground emergency medical transportation services.~~

27 (1) The increased capitation payments made pursuant to this section  
28 shall be in ~~amounts at least actuarially equivalent to the supplemental fee~~  
29 ~~for service payments and up to equivalent of commercial reimbursement~~  
30 ~~rates available for eligible providers to the extent permissible under federal~~  
31 ~~law.~~

32 (2) Except as provided in subsection (f), ~~all~~ funds associated with  
33 intergovernmental transfers made and accepted pursuant to this section  
34 shall be used to fund additional payments to ~~eligible providers.~~

35 (3) Medicaid managed care plans shall ~~pay 100% of any amount of~~  
36 ~~increased capitation payments made pursuant to this section to eligible~~  
37 ~~providers for providing and making available ground emergency medical~~  
38 ~~transportation and pre-stabilization services pursuant to a contract or other~~  
39 ~~arrangement with a medicaid managed care plan.~~

40 (d) The intergovernmental transfer program developed pursuant to  
41 this section shall be implemented on the date federal approval is obtained,  
42 and only to the extent intergovernmental transfers from the eligible  
43 provider, or the governmental entity with which it is affiliated, are

The department may utilize intergovernmental transfers or certified public expenditures to implement this section subject to the same provisions and requirements of section 2, and amendments thereto.

to transfer public funds to the state

reporting period

or providers

or permitted

, including hospitals and private entities to the extent permissible under federal law

at least actuarially determined amounts to the extent permissible under federal law

medicaid managed care plans

enter into contracts or contract amendments with eligible providers for the disbursement of increased capitation payments made pursuant to this section

1 provided for this purpose. the department shall implement the  
2 intergovernmental transfer program and increased capitation payments  
3 under this section on a retroactive basis as permitted by federal law.

To the extent permissible by federal law,

4 (e) Participation in the intergovernmental transfers under this section  
5 is voluntary on the part of the transferring entities for purposes of all  
6 applicable federal laws.

approved by the federal centers for medicare and medicaid services

7 (f) This section shall be implemented without any additional  
8 expenditure from the state general fund. As a condition of participation  
9 under this section, each eligible provider as described in subsection (b), or  
10 the governmental entity affiliated with an eligible provider, shall agree to  
11 reimburse the department for any costs associated with implementing this  
12 section. Intergovernmental transfers described in this section are subject to  
13 an administration fee of up to 20% of the non-federal share paid to the  
14 department and shall be allowed to count as a cost of providing the  
15 services not to exceed 120% of the total amount.

16 (g) As a condition of participation under this section, medicaid  
17 managed care plans, eligible providers as described in subsection (b), and  
18 governmental entities affiliated with eligible providers shall agree to  
19 comply with any requests for information or similar data requirements  
20 imposed by the department for purposes of obtaining supporting  
21 documentation necessary to claim federal funds or to obtain federal  
22 approvals.

23 (h) This section shall be implemented only if and to the extent federal  
24 financial participation is available and is not otherwise jeopardized and  
25 any necessary federal approvals have been obtained.

26 (i) To the extent that the department determines that the payments  
27 made pursuant to this section do not comply with federal medicaid  
28 requirements, the department may return or not accept an  
29 intergovernmental transfer and may adjust payments pursuant to this  
30 section as necessary to comply with federal medicaid requirements.

31 (j) The state of Kansas and the department of health and environment  
32 shall implement whatever program the center for medicare and medicaid  
33 services approves for use in Kansas under this act.

34 Sec. 3. This act shall take effect and be in force from and after its  
35 publication in the statute book.