

107TH CONGRESS
1ST SESSION

S. 1367

To amend title XVIII of the Social Security Act to provide appropriate reimbursement under the medicare program for ambulance trips originating in rural areas.

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2001

Ms. COLLINS (for herself and Mr. FEINGOLD) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to provide appropriate reimbursement under the medicare program for ambulance trips originating in rural areas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Rural Ambu-
5 lance Relief Act of 2001”.

6 **SEC. 2. HOLD HARMLESS PROVISION FOR RURAL AMBU-**
7 **LANCE SERVICES.**

8 (a) IN GENERAL.—Section 1834(l) of the Social Se-
9 curity Act (42 U.S.C. 1395m(l)) is amended—

1 (1) in paragraph (2)(A), by inserting “(other
2 than increases required by paragraph (10))” after
3 “part”;

4 (2) in paragraph (3)(A), by inserting “and if
5 the services for which payment is made under para-
6 graph (10) were paid under such fee schedule” after
7 “in effect”;

8 (3) by redesignating paragraph (8), as added by
9 section 221(a) of the Medicare, Medicaid, and
10 SCHIP Benefits Improvement and Protection Act of
11 2000 (114 Stat. 2763A–486), as enacted into law by
12 section 1(a)(6) of Public Law 106–554, as para-
13 graph (9); and

14 (4) by adding at the end the following new
15 paragraph:

16 “(10) HOLD HARMLESS PROVISION FOR RURAL
17 AMBULANCE SERVICES.—

18 “(A) IN GENERAL.—Notwithstanding the
19 fee schedule established under paragraph (1), in
20 the case of ambulance services furnished on or
21 after the date on which the phase-in required
22 under paragraph (2)(E) is initially implemented
23 and before the date on which the fee schedule
24 established under this subsection is modified to
25 incorporate the adjustments authorized under

1 section 221(c) of the Medicare, Medicaid, and
2 SCHIP Benefits Improvement and Protection
3 Act of 2000 (or the date on which the Secretary
4 determines that such a modification is unneces-
5 sary), for which the transportation originates in
6 a rural area (as defined in section
7 1886(d)(2)(D)) or in a rural census tract of a
8 metropolitan statistical area (as determined
9 under the most recent modification of the Gold-
10 smith Modification, originally published in the
11 Federal Register on February 27, 1992 (57
12 Fed. Reg. 6725)), the amount of payment
13 under this subsection for such services shall be
14 the greater of—

15 “(i) the amount determined under the
16 fee schedule established under paragraph
17 (1) (without regard to any phase-in estab-
18 lished under paragraph (2)(E)); or

19 “(ii) the amount that would have been
20 paid for such service if the amendments
21 made by section 4531(b) of the Balanced
22 Budget Act of 1997 had not been enacted.

23 “(B) PROHIBITING CERTAIN REDUC-
24 TIONS.—Notwithstanding paragraph (3), the
25 Secretary shall not reduce the payment

1 amounts under the fee schedule established
2 under paragraph (1) to offset the increase in
3 payments resulting from the application of sub-
4 paragraph (A).”.

5 (b) CONFORMING AMENDMENT.—Section
6 1833(a)(1)(R)(i) of the Social Security Act (42 U.S.C.
7 1395l(a)(1)(R)(i)) is amended by inserting “(or, in the
8 case of ambulance services to which paragraph (10) of
9 such section applies, 80 percent of the lesser of the actual
10 charge for such service or the amount determined under
11 such paragraph)” after “1834(l)”.

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