

107TH CONGRESS
1ST SESSION

S. 1866

To amend title XVIII of the Social Security Act to phase in the fee schedule for ambulance services to provide for equitable treatment of suppliers of such services that are required to equip all ambulances to provide advanced life support services.

IN THE SENATE OF THE UNITED STATES

DECEMBER 20 (legislative day, DECEMBER 18), 2001

Mrs. LINCOLN 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 phase in the fee schedule for ambulance services to provide for equitable treatment of suppliers of such services that are required to equip all ambulances to provide advanced life support services.

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 “Assurance of Advanced
5 Life Support Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The statutory directive for the establish-
2 ment of the fee schedule for ambulance services
3 under the medicare program under title XVIII of the
4 Social Security Act requires the Centers for Medi-
5 care & Medicaid Services to phase in the payment
6 rates under that fee schedule in a fair and efficient
7 manner.

8 (2) The provision of the proposed rule published
9 in the Federal Register on June 17, 1997, that
10 would have defined ambulance services as either
11 basic life support or advanced life support and
12 linked payment under the medicare program to the
13 type of service required to treat the medicare bene-
14 ficiary's condition, if implemented in the manner de-
15 scribed in the proposed rule published in the Federal
16 Register on September 12, 2000, would have a dev-
17 astating impact on those suppliers of ambulance
18 services that are required by a local ordinance or a
19 contract to provide advanced life support services to
20 each medicare beneficiary without regard to the
21 beneficiary's condition.

22 (3) To implement the ambulance fee schedule
23 under the medicare program in a fair and efficient
24 manner as required by the statutory directive, it is
25 necessary to ensure that the Centers for Medicare &

1 Medicaid Services phase out the basis for reimburse-
2 ment that applied before the implementation of the
3 fee schedule for ambulance services under the medi-
4 care program with respect to suppliers of ambulance
5 services that are described in paragraph (2) at the
6 same rate as the other provisions of such fee sched-
7 ule are phased in under that program.

8 **SEC. 3. PURPOSE.**

9 The purpose of this Act is to phase out the basis for
10 reimbursement under the medicare program under title
11 XVIII of the Social Security Act that applied before the
12 implementation of the fee schedule for ambulance services
13 under section 1834(*l*) of the Social Security Act (42
14 U.S.C. 1395m(*l*)) with respect to suppliers of ambulance
15 services that are mandated by a local ordinance or a con-
16 tract to provide advanced life support services to each
17 medicare beneficiary without regard to the beneficiary's
18 condition at the same rate as the other provisions of such
19 fee schedule are phased in under paragraph (2)(E) of such
20 section.

21 **SEC. 4. PHASE IN OF FEE SCHEDULE WITH RESPECT TO RE-**
22 **QUIRED LEVELS OF AMBULANCE SERVICE.**

23 Section 1834(*l*) of the Social Security Act (42 U.S.C.
24 1395m(*l*)) is amended—

1 (1) by redesignating the second paragraph (8)
2 (as added by section 221(a) of the Medicare, Med-
3 icaid, and SCHIP Benefits Improvement and Pro-
4 tection Act of 2000 (114 Stat. 2763A–486), as en-
5 acted into law by section 1(a)(6) of Public Law 106–
6 554) as paragraph (9); and

7 (2) by adding at the end of the following new
8 paragraph:

9 “(10) PHASE IN OF FEE SCHEDULE WITH RE-
10 SPECT TO REQUIRED LEVELS OF AMBULANCE SERV-
11 ICE.—Notwithstanding any other provision of this
12 subsection and not later than April 1, 2002, the Sec-
13 retary shall revise the fee schedule established under
14 paragraph (1) so that the provisions of the fee
15 schedule that apply with respect to the level of am-
16 bulance service required to treat the condition of a
17 beneficiary (as such provisions apply to suppliers of
18 ambulance services that are mandated by a local or-
19 dinance or a contract to provide advanced life sup-
20 port services to each medicare beneficiary without
21 regard to the beneficiary’s condition) are phased out
22 under paragraph (2)(E) in the same manner as the
23 other portions of such fee schedule are phased in
24 under such paragraph. The revision required under

1 the preceding sentence shall be subject to the re-
2 quirements of paragraph (3).”.

○