

108TH CONGRESS
1ST SESSION

H. R. 1301

To amend the title XVIII of the Social Security Act to provide payment to Medicare ambulance suppliers of the full costs of providing such services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2003

Mr. HOUGHTON (for himself, Mr. ALLEN, Mr. BOEHLERT, Mr. POMEROY, Mr. RAMSTAD, Mr. TAYLOR of Mississippi, Mr. QUINN, Mr. HINCHEY, Mr. ENGLISH, Ms. CORRINE BROWN of Florida, Mr. MCHUGH, Mr. MOORE, Mr. UPTON, Mr. MCNULTY, Mr. KENNEDY of Minnesota, Mr. KILDEE, Mr. SIMMONS, Mr. FRANK of Massachusetts, Mr. REYNOLDS, Mr. DICKS, Mrs. EMERSON, Mr. PAYNE, Mr. WALSH, Mr. FROST, Mr. MURTHA, Mr. ROSS, Mr. KIND, Mr. OLVER, Ms. MCCOLLUM, and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the title XVIII of the Social Security Act to provide payment to Medicare ambulance suppliers of the full costs of providing such services, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Medicare Ambulance
3 Payment Reform Act of 2003”.

4 **SEC. 2. AMBULANCE PAYMENT RATES.**

5 (a) PAYMENT RATES.—

6 (1) IN GENERAL.—Section 1834(l)(3) of the
7 Social Security Act (42 U.S.C. 1395m(l)(3)) is
8 amended to read as follows:

9 “(3) PAYMENT RATES.—

10 “(A) IN GENERAL.—Subject to any adjust-
11 ment under subparagraph (B) and paragraph
12 (9) and the full payment of a national mileage
13 rate pursuant to paragraph (2)(E), in estab-
14 lishing such fee schedule, the following rules
15 shall apply:

16 “(i) PAYMENT RATES IN 2004.—

17 “(I) GROUND AMBULANCE SERV-
18 ICES.—In the case of ground ambu-
19 lance services furnished under this
20 part in 2004, the Secretary shall set
21 the payment rates under the fee
22 schedule for such services at a rate
23 based on the average costs (as deter-
24 mined by the Secretary on the basis of
25 the most recent and reliable informa-
26 tion available) incurred by full cost

1 ambulance suppliers in providing non-
2 emergency basic life support ambu-
3 lance services covered under this title,
4 with adjustments to the rates for
5 other ground ambulance service levels
6 to be determined based on the rule es-
7 tablished under paragraph (1). For
8 the purposes of the preceding sen-
9 tence, the term ‘full cost ambulance
10 supplier’ means a supplier for which
11 volunteers or other unpaid staff com-
12 prise less than 20 percent of the sup-
13 plier’s total staff and which receives
14 less than 20 percent of space and
15 other capital assets free of charge.

16 “(II) OTHER AMBULANCE SERV-
17 ICES.—In the case of ambulance serv-
18 ices not described in subclause (I)
19 that are furnished under this part in
20 2004, the Secretary shall set the pay-
21 ment rates under the fee schedule for
22 such services based on the rule estab-
23 lished under paragraph (1).

24 “(ii) PAYMENT RATES IN SUBSE-
25 QUENT YEARS FOR ALL AMBULANCE SERV-

1 ICES.—In the case of any ambulance serv-
2 ice furnished under this part in 2005 or
3 any subsequent year, the Secretary shall
4 set the payment rates under the fee sched-
5 ule for such service at amounts equal to
6 the payment rate under the fee schedule
7 for that service furnished during the pre-
8 vious year, increased by the percentage in-
9 crease in the Consumer Price Index for all
10 urban consumers (United States city aver-
11 age) for the 12-month period ending with
12 June of the previous year.

13 “(B) ADJUSTMENT IN RURAL RATES.—For
14 years beginning with 2004, the Secretary, after
15 taking into consideration the recommendations
16 contained in the report submitted under section
17 221(b)(3) the Medicare, Medicaid, and SCHIP
18 Benefits Improvements and Protection Act of
19 2000, shall adjust the fee schedule payment
20 rates that would otherwise apply under this
21 subsection for ambulance services provided in
22 low density rural areas based on the increased
23 cost (if any) of providing such services in such
24 areas.”.

1 (2) CONFORMING AMENDMENT.—Section
2 221(c) of the Medicare, Medicaid, and SCHIP Bene-
3 fits Improvement and Protection Act of 2000 (114
4 Stat. 2763A–487), as enacted into law by section
5 1(a)(6) of Public Law 106–554, is repealed.

6 (3) EFFECTIVE DATE.—The amendments made
7 by this subsection shall apply to payment for ambu-
8 lance services furnished on or after January 1,
9 2004.

10 (b) USE OF MEDICAL CONDITIONS FOR CODING AM-
11 BULANCE SERVICES.—Section 1834(l)(7) of the Social Se-
12 curity Act (42 U.S.C. 1395m(l)(7)) is amended to read
13 as follows:

14 “(7) CODING SYSTEM.—

15 “(A) IN GENERAL.—The Secretary shall,
16 in accordance with section 1173(c)(1)(B) and
17 not later than December 31, 2003, establish a
18 system or systems for the coding of claims for
19 ambulance services for which payment is made
20 under this subsection, including a code set
21 specifying the medical condition of the indi-
22 vidual who is transported and the level of serv-
23 ice that is appropriate for the transportation of
24 an individual with that medical condition.

1 “(B) MEDICAL CONDITIONS.—The code set
2 established under subparagraph (A) shall—

3 “(i) take into account the list of med-
4 ical conditions developed in the course of
5 the negotiated rulemaking process con-
6 ducted under paragraph (1); and

7 “(ii) notwithstanding any other provi-
8 sion of law, be adopted as a standard code
9 set under section 1173(c).”.

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