



Bob Bennett

Bill Analysis

Legislative Service Commission

H.B. 249

127th General Assembly
(As Introduced)

**Reps. R. McGregor, Wagoner, J. McGregor, Flowers, Seitz, Skindell,
Stebelton, Lundy**

BILL SUMMARY

- Requires the Medicaid program to increase its reimbursement rate for medical transportation services not later than 90 days after the bill's effective date.
- Requires the rules governing the Medicaid program to include a mechanism by which the Medicaid program's reimbursement rate for medical transportation services is adjusted each fiscal biennium.
- Requires, beginning not later than July 1, 2011, that the Medicaid reimbursement rate for each medical transportation service that is also covered by the Medicare program be set at an amount equal to at least 80% of the Medicare reimbursement rate for the service and that the reimbursement rate for each medical transportation service that is not also covered by the Medicare program be set at an amount equal to at least the average of the Medicaid reimbursement rates for medical transportation services that are also covered by the Medicare program.
- Requires the Medicaid program to cover the respond but not transport service as part of medical transportation services.
- Creates the Ohio Medicaid Transportation Provider Advisory Council and requires the Council to examine whether the Medicaid program's reimbursement rate for medical transportation services is sufficient to ensure that Medicaid recipients have access to safe and efficient medical transportation services.

- Requires the Council to provide the Director of Job and Family Services with recommendations regarding the Medicaid program's reimbursement rate for medical transportation services.

CONTENT AND OPERATION

Medicaid coverage of medical transportation services

(R.C. 5111.028; Section 2)

The bill establishes requirements regarding the Medicaid program's coverage of medical transportation services. "Medical transportation services" is defined as the services of a land ambulance, air ambulance, or ambulette¹ provider.

First, the bill requires the Medicaid program to increase its reimbursement rate for medical transportation services not later than 90 days after the bill's effective date. The Director of Job and Family Services is required to amend the Medicaid program's rules as necessary to accomplish the increase.

Second, the bill requires the Director to adopt rules that do all of the following:

(1) Provide for the Medicaid program to cover the respond but not transport service (the service of a land ambulance, air ambulance, or ambulette provider responding to a Medicaid recipient's emergency situation and treating the recipient but not transporting the recipient) as part of medical transportation services;

(2) Include a mechanism by which the Medicaid program's reimbursement rate for medical transportation services is adjusted each fiscal biennium;²

(3) Beginning not later than July 1, 2011, set the reimbursement rate for each medical transportation service that is also covered by the Medicare program at an amount equal to at least 80% of the Medicare reimbursement rate for the service;

¹ An ambulette is a vehicle designed to transport individuals in a wheelchair. (Ohio Administrative Code § 5101:3-15-01.)

² A fiscal biennium is the period of time beginning the first day of July of an odd-numbered calendar year and ending the last day of June of the next odd-numbered calendar year.

(4) Also beginning not later than July 1, 2011, set the reimbursement rate for each medical transportation service that is not also covered by the Medicare program at an amount equal to at least the average of the Medicaid reimbursement rates for medical transportation services that are also covered by the Medicare program.

Ohio Medicaid Transportation Provider Advisory Council

(R.C. 5111.029)

The bill creates the Ohio Medicaid Transportation Provider Advisory Council. The Council is to consist of the following seven members:

(1) Three representatives of the Ohio Ambulance and Medical Transportation Association, appointed by the Governor from recommendations the Association makes to the Governor.

(2) Two representatives of the work unit within the Department of Job and Family Services primarily responsible for administering the Medicaid program, appointed by the Director of Job and Family Services.

(3) One representative of the Ohio Medical Transportation Board, appointed by the Board.

(4) The Auditor of State or the Auditor's designee.

Members, other than the Auditor of State or the Auditor's designee, are to serve four-year terms. Original appointments must be made not later than 90 days after the bill's effective date. Each member is to hold office from the date of appointment until the end of the term for which the member was appointed. Members may be reappointed. Vacancies are to be filled in the manner provided for original appointments. A member appointed to fill a vacancy occurring before the expiration date of the term for which the member's predecessor was appointed is to hold office as a member for the remainder of that term. A member is to continue in office subsequent to the expiration date of the member's term until the member's successor takes office or until a period of 60 days has elapsed, whichever occurs first. The Council's members are to serve without compensation or reimbursement, except as serving on the Council is considered part of their usual job duties.

The member who represents the Ohio Medical Transportation Board is required to call the Council to meet the first time. The members of the Council are

to elect one of the members to serve as the Council's chairperson.³ The chairperson is to call the Council to subsequent meetings. The Council must meet at least once every two years and at other times requested by the Director of Job and Family Services or the chief of the work unit within the Department of Job and Family Services primarily responsible for administering the Medicaid program.

The Department of Job and Family Services must provide the Council with accommodations for the Council to hold its meetings and provide the Council with other administrative assistance that the Council needs to perform its duties.

The Council is required to examine whether the Medicaid program's reimbursement rate for medical transportation services is sufficient to ensure that Medicaid recipients have access to safe and efficient medical transportation services. In making the examination, the Council is permitted to consider whether the reimbursement rate in effect at the time of the examination complies with federal and state laws governing the Medicaid program and adequately covers providers' costs of providing the services. The Council is also permitted to consider the change in the following since the last time the Medicaid program's reimbursement for medical transportation services was adjusted: the consumer price index; the average price of fuel; the average cost of workers' compensation and insurance for medical liability, automobiles, and other business matters; the cost to purchase or lease medical transport vehicles and other necessary medical supplies; and other economic indicators the Council deems worthy to consider.

The bill requires the Council to provide the Director of Job and Family Services with recommendations regarding the Medicaid program's reimbursement rate for medical transportation services. The Director is permitted to consider the Council's recommendations when adjusting the Medicaid program's reimbursement for medical transportation services for a fiscal biennium.⁴

HISTORY

ACTION	DATE
Introduced	05-30-07

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³ The Council's chairperson is to serve a two-year term and may be reelected to successive terms.

⁴ See "*Medicaid coverage of medical transportation services*" above.