

As Introduced

**127th General Assembly
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H. B. No. 249

Representative McGregor, R.

**Cosponsors: Representatives Wagoner, McGregor, J., Flowers, Seitz,
Skindell, Stebelton, Lundy**

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A B I L L

To enact sections 5111.028 and 5111.029 of the 1
Revised Code to modify the Medicaid program's 2
reimbursement rate for medical transportation 3
services. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5111.028 and 5111.029 of the Revised 5
Code be enacted to read as follows: 6

Sec. 5111.028. (A) As used in this section and section 7
5111.029 of the Revised Code: 8

"Fiscal biennium" means a period of time beginning the first 9
day of July of an odd-numbered calendar year and ending the last 10
day of June of the next odd-numbered calendar year. 11

"Medical transportation services" means the services of a 12
land ambulance, air ambulance, or ambulette provider. 13

"Respond but not transport service" means the service of a 14
land ambulance, air ambulance, or ambulette provider responding to 15
a medicaid recipient's emergency situation and treating the 16
recipient but not transporting the recipient. 17

(B) The director of job and family services shall adopt rules 18
under section 5111.02 of the Revised Code governing the medicaid 19
program's coverage of medical transportation services. The rules 20
shall do all of the following: 21

(1) Provide for the medicaid program to cover the respond but 22
not transport service as part of medical transportation services. 23

(2) Include a mechanism by which the medicaid program's 24
reimbursement rate for medical transportation services is adjusted 25
each fiscal biennium. 26

(3) Beginning not later than July 1, 2011, set the 27
reimbursement rate for each medical transportation service that is 28
also covered by the medicare program at an amount equal to at 29
least eighty per cent of the medicare reimbursement rate for the 30
service. 31

(4) Beginning not later than July 1, 2011, set the 32
reimbursement rate for each medical transportation service that is 33
not also covered by the medicare program at an amount equal to at 34
least the average of the medicaid reimbursement rates for medical 35
transportation services that are also covered by the medicare 36
program. 37

Sec. 5111.029. (A) There is hereby created the Ohio medicaid 38
transportation provider advisory council. The council shall 39
consist of the following members: 40

(1) Three representatives of the Ohio ambulance and medical 41
transportation association, appointed by the governor from 42
recommendations the association makes to the governor; 43

(2) Two representatives of the work unit within the 44
department of job and family services primarily responsible for 45
the administration of the medicaid program, appointed by the 46
director of job and family services; 47

(3) One representative of the Ohio medical transportation board, appointed by the board; 48
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(4) The auditor of state or the auditor's designee. 50

(B) Each member of the Ohio medicaid transportation provider advisory council appointed to the board pursuant to divisions (A)(1) to (3) of this section shall serve a term of four years. Original appointments shall be made not later than ninety days after the effective date of this section. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Members may be reappointed. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy occurring before the expiration date of the term for which the member's predecessor was appointed shall hold office as a member for the remainder of that term. A member shall 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 sixty days has elapsed, whichever occurs first. 51
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(C) All members of the council shall serve without compensation or reimbursement, except as serving on the council is considered part of their usual job duties. 66
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(D) The members of the council shall elect one of the members of the council to serve as the council's chairperson for a two-year term. The chairperson may be reelected to successive terms. 69
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(E) The member of the Ohio medicaid transportation provider advisory council who represents the Ohio medical transportation board shall call the council to meet the first time. The chairperson of the council shall call the council to subsequent meetings. The council shall meet at least once every two years and at other times requested by the director of job and family 73
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services or the chief of the work unit within the department of 79
job and family services primarily responsible for the 80
administration of the medicaid program. At its meetings, the 81
council shall examine whether the medicaid program's reimbursement 82
rate for medical transportation services is sufficient to ensure 83
that medicaid recipients have access to safe and efficient medical 84
transportation services. In making the examination, the council 85
may consider both of the following: 86

(1) Whether the reimbursement rate in effect at the time of 87
the examination complies with federal and state laws governing the 88
medicaid program and adequately covers providers' costs of 89
providing the services; 90

(2) The change in the following since the last time the 91
medicaid program's reimbursement for medical transportation 92
services was adjusted: 93

(a) The consumer price index; 94

(b) The average price of fuel; 95

(c) The average cost of workers' compensation and insurance 96
for medical liability, automobiles, and other business matters; 97

(d) The cost to purchase or lease medical transport vehicles 98
and other necessary medical supplies; 99

(e) Other economic indicators the council deems worthy to 100
consider. 101

(F) The Ohio medicaid transportation provider advisory 102
council shall provide the director of job and family services with 103
recommendations regarding the medicaid program's reimbursement 104
rate for medical transportation services. The director may 105
consider the council's recommendations when adjusting the medicaid 106
program's reimbursement for medical transportation services for a 107
fiscal biennium in rules adopted under section 5111.02 of the 108

Revised Code. 109

(G) The department of job and family services shall provide 110
the Ohio medicaid transportation provider advisory council with 111
accommodations for the council to hold its meetings and shall 112
provide the council with other administrative assistance that the 113
council needs to perform its duties. 114

Section 2. As used in this section, "medical transportation 115
services" means the services of a land ambulance, air ambulance, 116
or ambulette provider. 117

The Medicaid program shall increase its reimbursement rate 118
for medical transportation services not later than ninety days 119
after the effective date of this section. The Director of Job and 120
Family Services shall amend the Medicaid program's rules adopted 121
under section 5111.02 of the Revised Code as necessary to 122
accomplish this increase. 123