

HOUSE BILL 44

J1

HB 552/21 – HGO & APP

(PRE-FILED)

21r0925

CF SB 295

By: Delegates Hornberger and Reilly, Reilly, Pendergrass, Bagnall, Belcastro, Bhandari, Carr, Chisholm, Cullison, Hill, Johnson, Kaiser, Kelly, Kerr, Kipke, Krebs, Landis, R. Lewis, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

Requested: October 25, 2021

Introduced and read first time: January 12, 2022

Assigned to: Health and Government Operations and Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Emergency Service Transporters**
3 **– Reimbursement**

4 FOR the purpose of altering the medical services provided by an emergency service
5 transporter for which the Maryland Department of Health is required to reimburse
6 the emergency service transporter who charges for its services and requests
7 reimbursement from the Maryland Medical Assistance Program; requiring the
8 Department to increase the amount of reimbursement by a certain amount ~~each~~
9 ~~fiscal year, beginning~~ in a certain fiscal year, ~~until the rate is at least a certain~~
10 ~~amount~~ and pay at least the increased amount in each subsequent fiscal year; and
11 generally relating to the reimbursement of services provided by emergency service
12 transporters under the Maryland Medical Assistance Program.

13 BY repealing and reenacting, with amendments,
14 Article – Health – General
15 Section 15–114.1
16 Annotated Code of Maryland
17 (2019 Replacement Volume and 2021 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Health – General

2 15–114.1.

3 (a) **(1)** In this section, ~~“emergency service”~~ THE FOLLOWING WORDS HAVE
4 THE MEANINGS INDICATED.

5 **(2)** “EMERGENCY MEDICAL SERVICES PROVIDER” HAS THE MEANING
6 STATED IN § 13–561 OF THE EDUCATION ARTICLE.

7 **(3)** “EMERGENCY SERVICE transporter” means a public entity or
8 volunteer fire, rescue, or emergency medical service that provides emergency medical
9 services.

10 **(4)** “LOW-ACUITY HEALTH CONDITION” MEANS AN ILLNESS, AN
11 INJURY, OR A CONDITION SERIOUS ENOUGH THAT A REASONABLE PERSON WOULD
12 SEEK CARE IMMEDIATELY, BUT NOT SO SEVERE AS TO REQUIRE EMERGENCY ROOM
13 CARE.

14 **(5)** “MOBILE INTEGRATED HEALTH SERVICE” MEANS A
15 COMMUNITY-BASED PREVENTIVE, PRIMARY, CHRONIC, PREADMISSION, OR
16 POSTADMISSION HEALTH CARE SERVICE OR TRANSPORT PROVIDED BY AN
17 EMERGENCY MEDICAL SERVICES PROVIDER TO AN INDIVIDUAL.

18 (b) **(1)** [If] ~~SUBJECT TO SUBSECTION (C)~~ PARAGRAPH (2) OF THIS
19 ~~SECTION~~ SUBSECTION, IF an emergency service transporter charges for its services and
20 requests reimbursement from the Program, the Department shall reimburse the emergency
21 service transporter, in an amount as specified by regulations adopted by the Department,
22 for the cost of:

23 ~~(I)~~ **(I)** Transportation the emergency service transporter provides to a
24 Program recipient to a facility in response to a 911 call; and

25 ~~(II)~~ **(II)** Medical services the emergency service transporter provides to
26 the Program recipient [while transporting the Program recipient to a facility] in response
27 to a 911 call.

28 ~~(C)~~ **(2)** ~~BEGINNING IN FISCAL YEAR 2023, THE~~ THE DEPARTMENT SHALL
29 INCREASE:

30 **(I)** INCREASE THE AMOUNT OF REIMBURSEMENT AUTHORIZED
31 UNDER SUBSECTION (B) PARAGRAPH (1) OF THIS SECTION ~~SUBSECTION~~ FOR THE
32 COST OF TRANSPORTATION AND MEDICAL SERVICES BY ~~\$25~~ \$50 IN FISCAL YEAR
33 2023; AND

1 (II) PAY AT LEAST THE AMOUNT ESTABLISHED UNDER ITEM (I)
2 OF THIS PARAGRAPH IN EACH SUBSEQUENT FISCAL YEAR ~~EACH FISCAL YEAR, UNTIL~~
3 ~~THE REIMBURSEMENT FOR THE SERVICES IS AT LEAST \$300.~~

4 (C) (1) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE
5 DEPARTMENT SHALL REIMBURSE AN EMERGENCY SERVICE TRANSPORTER FOR
6 MOBILE INTEGRATED HEALTH SERVICES PROVIDED TO A PROGRAM RECIPIENT IN
7 AN AMOUNT AS SPECIFIED BY REGULATIONS ADOPTED BY THE DEPARTMENT THAT
8 IS AT LEAST \$100 PER INTERACTION.

9 (2) THE SERVICES SUBJECT TO REIMBURSEMENT UNDER
10 PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

11 (I) HEALTH CARE SERVICES, INCLUDING HEALTH
12 ASSESSMENTS, REMOTE MEDICAL DIAGNOSTICS, CHRONIC DISEASE MONITORING
13 AND EDUCATION, MEDICATION COMPLIANCE, IMMUNIZATIONS AND VACCINATIONS,
14 LABORATORY SPECIMEN COLLECTION, HOSPITAL DISCHARGE FOLLOW-UP CARE,
15 AND MINOR MEDICAL PROCEDURES, PROVIDED BY AN EMERGENCY MEDICAL
16 SERVICES PROVIDER THAT ARE:

17 1. WITHIN THE SCOPE OF PRACTICE OF THE
18 EMERGENCY MEDICAL SERVICES PROVIDER;

19 2. PROVIDED IN A HOME OR ANOTHER
20 COMMUNITY-BASED SETTING TO A PROGRAM RECIPIENT WHO DOES NOT REQUIRE
21 EMERGENCY MEDICAL TRANSPORT; AND

22 3. CONSISTENT WITH THE PROTOCOLS ISSUED BY THE
23 EMERGENCY MEDICAL SERVICES BOARD; AND

24 (II) TRANSPORTATION PROVIDED BY THE EMERGENCY SERVICE
25 TRANSPORTER TO A PROGRAM RECIPIENT WITH A LOW-ACUITY HEALTH CONDITION
26 TO A LOCATION IN WHICH URGENT HEALTH CARE SERVICES ARE PROVIDED TO
27 INDIVIDUALS.

28 (3) THE DEPARTMENT SHALL:

29 (I) INCREASE THE AMOUNT OF REIMBURSEMENT AUTHORIZED
30 UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COST OF TRANSPORTATION
31 AND MEDICAL SERVICES BY \$50 IN FISCAL YEAR 2023; AND

32 (II) PAY AT LEAST THE AMOUNT ESTABLISHED UNDER ITEM (I)
33 OF THIS PARAGRAPH IN EACH SUBSEQUENT FISCAL YEAR.

1 ~~[(c)]~~ (D) The Department shall adopt any regulations necessary to carry out this
2 section.

3 SECTION 2. AND BE IT FURTHER ENACTED, That:

4 (a) The Maryland Department of Health, in coordination with the Maryland
5 Institute for Emergency Medical Services Systems, shall study the adequacy of the rate of
6 reimbursement provided under § 15-114.1 of the Health – General Article, as enacted by
7 Section 1 of this Act.

8 (b) The study required under subsection (a) of this section shall include an
9 analysis of best practices from other states.

10 (c) On or before November 1, 2024, the Department shall report its findings and
11 recommendations to the Governor and, in accordance with § 2-1257 of the State
12 Government Article, the General Assembly.

13 SECTION 3. AND BE IT FURTHER ENACTED, That:

14 (a) The Maryland Institute for Emergency Medical Services Systems (MIEMSS)
15 shall study the emergency and nonemergency interfacility transport system for patients
16 enrolled in the Maryland Medical Assistance Program, including the process for responding
17 to referral requests in a timely manner, the adequacy of reimbursement related to costs,
18 and performance standards.

19 (b) On or before December 31, 2022, MIEMSS shall report its findings and
20 recommendations to the Senate Finance Committee and the House Health and
21 Government Operations Committee, in accordance with § 2-1257 of the State Government
22 Article.

23 ~~SECTION 2.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 ~~October~~ July 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.