

# SENATE BILL 295

J1

(2lr0613)

## ENROLLED BILL

— Finance/Health and Government Operations and Appropriations —

Introduced by **Senators Gallion, Corderman, Guzzone, Beidle, and Elfreth**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### 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

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



1 Section 15–114.1  
 2 Annotated Code of Maryland  
 3 (2019 Replacement Volume and 2021 Supplement)

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

6 **Article – Health – General**

7 15–114.1.

8 (a) (1) In this section[, “emergency”] **THE FOLLOWING WORDS HAVE THE**  
 9 **MEANINGS INDICATED.**

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

12 (3) **“EMERGENCY service transporter” means ~~the~~**

13 ~~(I)~~ **A public entity or volunteer fire, rescue, or emergency medical**  
 14 **service that provides emergency medical services; ~~OR~~**

15 ~~(II)~~ **A COMMERCIAL AMBULANCE SERVICE.**

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

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

24 (b) (1) **[If] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF** an  
 25 emergency service transporter charges for its services and requests reimbursement from  
 26 the Program, the Department shall reimburse the emergency service transporter, in an  
 27 amount as specified by regulations adopted by the Department, for the cost of:

28 [(1)] (I) Transportation the emergency service transporter provides to a  
 29 Program recipient to a facility in response to a 911 call; and

30 [(2)] (II) Medical services the emergency service transporter provides to  
 31 the Program recipient [while transporting the Program recipient to a facility] in response  
 32 to a 911 call.

1           (2) ~~BEGINNING IN FISCAL YEAR 2023, THE~~ THE DEPARTMENT SHALL  
2 ~~INCREASE:~~

3           (1) INCREASE THE AMOUNT OF REIMBURSEMENT AUTHORIZED  
4 UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COST OF TRANSPORTATION  
5 AND MEDICAL SERVICES BY ~~\$25~~ \$50 IN FISCAL YEAR 2023; AND

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

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

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

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

22           1. WITHIN THE SCOPE OF PRACTICE OF THE  
23 EMERGENCY MEDICAL SERVICES PROVIDER;

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

27           3. CONSISTENT WITH THE PROTOCOLS ISSUED BY THE  
28 EMERGENCY MEDICAL SERVICES BOARD; AND

29           (II) TRANSPORTATION PROVIDED BY THE EMERGENCY SERVICE  
30 TRANSPORTER TO A PROGRAM RECIPIENT WITH A LOW-ACUITY HEALTH CONDITION  
31 TO A LOCATION IN WHICH URGENT HEALTH CARE SERVICES ARE PROVIDED TO  
32 INDIVIDUALS.

1                   (3) ~~BEGINNING IN FISCAL YEAR 2023, THE~~ THE DEPARTMENT SHALL  
2 ~~INCREASE:~~

3                    (I) INCREASE THE AMOUNT OF REIMBURSEMENT AUTHORIZED  
4 UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COST OF TRANSPORTATION  
5 AND MEDICAL SERVICES BY ~~\$25~~ \$50 IN FISCAL YEAR 2023; AND

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

9                   [(c)] (D) The Department shall adopt any regulations necessary to carry out this  
10 section.

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

12                   (a) The Maryland Department of Health, in coordination with the Maryland  
13 Institute for Emergency Medical Services Systems, shall study the adequacy of the rate of  
14 reimbursement ~~for mobile integrated health services~~ provided under § 15-114.1 of the  
15 Health – General Article, as enacted by Section 1 of this Act.

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

18                   (c) On or before November 1, ~~2023~~ 2024, the Department shall report its findings  
19 and recommendations to the Governor and, in accordance with § 2-1257 of the State  
20 Government Article, the General Assembly.

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

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

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

31                   ~~SECTION 4. AND BE IT FURTHER ENACTED, That Sections 1 and 2 of this Act~~  
32 ~~shall take effect October 1, 2022. Section 1 of this Act shall remain effective for a period of~~  
33 ~~2 years and 9 months and, at the end of June 30, 2025, Section 1 of this Act, with no further~~  
34 ~~action required by the General Assembly, shall be abrogated and of no further force and~~  
35 ~~effect.~~

1 SECTION ~~3. 5.~~ 4. AND BE IT FURTHER ENACTED, That, ~~except as provided in~~  
2 ~~Section 4 of this Act,~~ this Act shall take effect ~~October~~ July 1, 2022.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.