

HOUSE BILL NO. 5695

April 30, 2024, Introduced by Reps. McFall, Tsernoglou, Harris, Mentzer, MacDonell, Andrews, Jaime Greene, Price, Arbit, Steckloff, Liberati, Wilson, Snyder, Haadsma, Paiz, Shannon, Grant, Coffia, Breen, Hope, Brixie, Tyrone Carter, Dievendorf, McKinney, Glanville, Conlin, Martus, Weiss, Young, Byrnes, Brenda Carter and Hoskins and referred to the Committee on Insurance and Financial Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 109p.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 109p. (1) No later than 180 days after the effective date
2 of the amendatory act that added this section, the department shall
3 apply to the United States Department of Health and Human Services
4 for an amendment to this state's Medicaid state plan to establish
5 and administer a program to provide supplemental reimbursement to

1 eligible ground emergency medical transportation providers that
2 provide ground emergency medical transportation services to medical
3 assistance recipients.

4 (2) The department shall promptly seek any necessary federal
5 approvals for the implementation of subsection (1). The department
6 may limit the program described under subsection (1) to those costs
7 that are allowable expenditures under title XIX of the social
8 security act, 42 USC 1396 to 1396w-7. The department shall do both
9 of the following:

10 (a) Submit claims for federal financial participation for the
11 expenditures for services that are allowable expenditures under
12 federal law.

13 (b) Submit necessary materials to the federal government to
14 provide assurances that claims for federal financial participation
15 will include only those expenditures that are allowable under
16 federal law. The department may utilize intergovernmental transfers
17 or certified public expenditures to implement this subdivision.

18 (3) A ground emergency medical transportation provider is
19 eligible for supplemental reimbursement if the ground emergency
20 medical transportation provider meets all of the following
21 conditions during the period reimbursement is being claimed:

22 (a) Provides ground emergency medical transportation services
23 to medical assistance recipients.

24 (b) Is enrolled as a Medicaid provider for the period
25 reimbursement is being claimed.

26 (c) Is owned or operated by an eligible governmental entity.

27 (4) A supplemental reimbursement claimed under this section
28 must be calculated and paid as follows:

29 (a) Except as otherwise provided in subdivision (b), the

1 supplemental reimbursement to an eligible provider is equal to the
2 amount of federal financial participation received for the eligible
3 provider's cost for the emergency medical transportation services
4 under subdivision (c).

5 (b) The amount certified, when combined with the amount
6 received from all other sources of reimbursement from the medical
7 assistance program, must not exceed or be less than 100% of actual
8 cost incurred, as determined under this state's Medicaid state plan
9 for ground emergency medical transportation services.

10 (c) The supplemental reimbursement must be distributed
11 exclusively to eligible providers under a payment methodology that
12 is based on ground emergency medical transportation services
13 provided to medical assistance recipients by eligible providers.

14 (5) An eligible provider shall make readily available to the
15 department documentation, data, and certification, as prescribed by
16 the department, that are necessary to establish that the emergency
17 medical services expenditures qualify for federal financial
18 participation in order to calculate the amount of supplemental
19 reimbursement that is due.

20 (6) The department shall pay supplemental reimbursements to
21 eligible providers for services provided on a fee-for-services
22 basis and managed care program recipients in this state's Medicaid
23 state plan.

24 (7) The department shall establish the uniform percentage of
25 the eligible provider's net patient revenues so that the total
26 amount of fees collected from an eligible provider in a fiscal year
27 is an amount that is not less than 1/4 of 1% lower than the maximum
28 limit for a provider's fee under 42 CFR 433.68(f) but does not
29 exceed the maximum limit.

1 (8) Participation in the program described under subsection
2 (1) is voluntary.

3 (9) As used in this section:

4 (a) "Eligible governmental entity" includes this state, a
5 city, a county, a fire authority, a federally recognized Indian
6 tribe, or a local unit of government.

7 (b) "Eligible ground emergency medical transportation
8 provider" or "eligible provider" means a public provider that
9 provides ground emergency medical transportation services to
10 medical assistance recipients and meets the conditions described
11 under subsection (3).