

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 189

By: Senator Teague
By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO AMEND THE ASSESSMENT FEE AND PROGRAM ON
MEDICAL TRANSPORTATION PROVIDERS WITHIN THE ARKANSAS
MEDICAID PROGRAM; TO DECLARE AN EMERGENCY; AND FOR
OTHER PURPOSES.

Subtitle

TO AMEND THE ASSESSMENT FEE AND PROGRAM
ON MEDICAL TRANSPORTATION PROVIDERS
WITHIN THE ARKANSAS MEDICAID PROGRAM; AND
TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 20-77-2802(3)-(5), concerning definitions used regarding the assessment fee and program on medical transportation providers, are amended to read as follows:

(3) "Emergency medical services" means:

(A) The transportation and medical care provided an ill or injured person before arrival at a medical facility by licensed emergency medical services personnel or other healthcare provider;

(B) Continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of ~~that~~ the medical facility; and

(C) Integrated medical care in emergency and ~~nonurgent~~ nonemergency settings with the oversight of a physician;

(4)~~(A)~~ "Medical transportation" means emergency medical services



and nonemergency ambulance services provided through ambulance services and air ambulance services-

~~(B) “Medical transportation” does not include nonemergency ambulance services;~~

(5) “Medical transportation provider” means a licensed provider of emergency medical transportation, as defined by 42 C.F.R. § 433.56(a)(18), as it existed on January 1, 2021;

SECTION 2. Arkansas Code § 20-77-2806, concerning exemptions to the assessment fee and program on medical transportation providers, is amended to add an additional subsection to read as follows:

(c) This subchapter does not:

(1) Impact scheduled appointments of nonemergency transportation providers that are contracted with the Department of Human Services; or

(2) Subject nonemergency transportation providers that are contracted with the department to any part of the upper payment limits or access payments.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that medical transportation providers are struggling to remain viable in providing access to healthcare services; that the increased payments provided for under this act will allow medical transportation providers to provide access to quality health care; that the Department of Human Services must develop a state plan amendment that must be approved by the Centers for Medicare and Medicaid Services before the increased payments can be distributed to the medical transportation providers; and that this act is immediately necessary to ensure that medical transportation providers remain viable to provide healthcare services to the citizens of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 3/24/21