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Replace line 19 on page 1 with the following:
amend Sections 40-26B-90 and 40-26B-93, Code of
Alabama 1975 and Sections 40-26B-91, 40-26B-94,
40-26B-95, and 40-26B-99,

Replace line 24 on page 1 with the following:
Section 1. Sections 40-26B-90 and 40-26B-93, Code of
Alabama 1975 and Sections 40-26B-91, 40-26B-94,
40-26B-95,

Replace line 26 on page 1 with the following:
2024-214, 2024 Regular Session, are amended to read
as follows:

"§40-26B-90

The following words, terms, and phrases, when used in
this article have the meanings ascribed to them in this
section, except where the context clearly indicates a
different meaning:

(1) ASSESSMENT POOL. The total assessments collected
pursuant to this article as of a date determined by the



25 Commissioner of Alabama Medicaid, which date shall be no
26 later than the 60th day of a fiscal quarter, that have
27 not been expended for the purposes of this article, net
28 of the amounts specified in subdivision (c)(1) of Section
29 40-26B-93, plus any Medicaid federal financial
30 participation.

31 (2) ASSESSMENT RATE. A monetary amount per emergency
32 medical transport applied to calculate emergency medical
33 transport assessments pursuant to this article.

34 (3) DEPARTMENT. The Department of Revenue of the
35 State of Alabama.

36 (4) EMERGENCY MEDICAL TRANSPORT. The act of
37 transporting an individual from any point of origin to
38 the nearest medical facility capable of meeting the
39 emergency medical needs of the patient by an ambulance
40 licensed, operated, and equipped in accordance with
41 applicable state or local statutes, ordinances, or
42 regulations. This term shall only include services that
43 are billable utilizing Healthcare Common Procedure Coding
44 System (HCPCS) emergency transport codes A0429 BLS
45 Emergency, A0427 ALS Emergency (Level 1), A0433 ALS
46 Emergency (Level 2), A0434 Specialty Care Transport, and
47 A0225 Neonatal Emergency Transport. In consultation with
48 the Alabama Medicaid Agency, the Department may include



49 additional HCPCS Codes when approved by the federal
50 government. ~~"Emergency medical transports"~~ This term shall
51 not include transportation of beneficiaries by passenger
52 cars, taxicabs, litter vans, wheelchair vans, or other
53 forms of public or private conveyances, nor shall it
54 include transportation by an air ambulance provider or a
55 transport not paid by any payor.

56 (5) EMERGENCY MEDICAL TRANSPORT ENHANCEMENT. An
57 additional Medicaid payment to emergency medical
58 transport providers authorized by Section 40-26B-95.

59 (6) EMERGENCY MEDICAL TRANSPORT PROVIDER. A provider
60 of emergency medical transports licensed by the Alabama
61 Department of Public Health's Office of Emergency Medical
62 Services as a transport provider. The term "emergency
63 medical transport provider" includes both public and
64 private providers.

65 (7) FISCAL QUARTER. A state fiscal quarter within a
66 state fiscal year.

67 (8) FISCAL YEAR. An accounting period of 12 months
68 beginning on the first day of the first month of the
69 state fiscal year.

70 (9) GROSS RECEIPTS. Gross payments received as
71 patient care revenue for emergency medical transports,
72 determined on a cash basis of accounting.



73 (10) MEDICAID PROGRAM. The medical assistance program
74 as established in Title XIX of the Social Security Act
75 and as administered in the State of Alabama by the
76 Alabama Medicaid Agency pursuant to executive order and
77 Title 560 of the Alabama Administrative Code.

78 (11) TRANSPORT ENHANCEMENT RATE. An additional
79 Medicaid payment per emergency medical transport
80 authorized pursuant to this article."

81
82 Replace line 39 on page 2 with the following:

83 ~~number of~~ revenue received from emergency medical
84 transports rendered by the

85
86 Replace lines 43 through 55 on page 2 with the following:

87 the department shall ~~calculate the assessment rate by~~
88 ~~multiplying the projected total gross receipts for all~~
89 ~~emergency medical transport providers for a fiscal year~~
90 ~~by 5.3 percent, which resulting product shall be divided~~
91 ~~by the projected total annual number of emergency medical~~
92 ~~transports by all emergency medical transport providers~~
93 ~~for the fiscal year~~ set an assessment rate each fiscal
94 quarter. The assessment rate shall be a maximum of 5.3
95 percent, subject to Section 40-26B-98(b). ~~In no case~~
96 ~~shall the proportion of assessments collected under this~~



97 ~~article divided by total gross receipts, expressed as a~~
98 ~~percentage, exceed half a percent less than the maximum~~
99 ~~percentage of the annual aggregate net patient revenue~~
100 ~~for emergency medical transport providers that is~~
101 ~~prescribed pursuant to federal law and regulations.~~In
102 consultation with the Alabama Medicaid Agency, the
103 department may change the assessment rate each quarter to
104 reduce the amount of surplus assessments. Any surplus
105 assessment from a previous quarter may be used to reduce
106 the assessment rate.

107
108 Replace line 59 on page 3 with the following:

109 "§40-26B-93

110 (a) The assessment imposed by this article shall be
111 due and payable to the department on a date determined by
112 the department, which date shall not be later than the
113 30th day of the fiscal quarter for which the assessment
114 is assessed, except that Section 40-26B-97 shall apply to
115 any fiscal quarter for which federal approval has not
116 been obtained as of the first day of the fiscal quarter.
117 Any payment not received by the 30th day shall be
118 considered delinquent. When collected, the assessment
119 imposed by the article shall be deposited to the Alabama
120 Health Care Trust Fund.



121 (b) Any emergency medical transport provider that
122 fails to pay the assessment levied by this article by the
123 30th day of the fiscal quarter for which the assessment
124 is assessed ~~within the time required by the department~~
125 shall pay, in addition to the assessment, a penalty of 10
126 percent of the amount of the assessment due, together
127 with interest thereon at the rate prescribed by Section
128 40-1-44, such penalty and interest to be assessed and
129 collected as part of the assessment. Provided, however,
130 the department, if a good and sufficient reason is shown,
131 may waive or remit the penalty of 10 percent or a portion
132 thereof. If the delinquent payment is not received by the
133 45th day of the quarter in which the assessment was due,
134 the department shall notify the Alabama Medicaid Agency
135 which shall determine whether the emergency medical
136 transport provider is a Medicaid provider, and if so,
137 shall withhold the payment, interest, and penalty due
138 from any reimbursement due the provider under the
139 Medicaid Program, including any emergency medical
140 transport enhancements authorized by Section 40-26B-95.
141 Any emergency medical transport provider who submits a
142 delinquent payment shall not be eligible for medical
143 transport enhancements authorized by Section 40-26B-95
144 during that quarter. Delinquent payments shall be



145 considered a part of the surplus assessment to be
146 utilized in accordance with Section 40-26B-91. The
147 assessments levied by this article shall constitute a
148 debt due the State of Alabama and may be collected by
149 civil action in addition to the methods provided in this
150 article.

151 (c) Revenues generated by this assessment shall be
152 made available exclusively and are continuously
153 appropriated for the following purposes:

154 (1) To pay for the state's administrative costs of
155 this article, the department shall receive one percent of
156 the assessment per quarter and Medicaid shall receive
157 funding for expenses and enhancements to health care
158 services with emphasis on non-emergency transportation in
159 an amount of one hundred seventy-five thousand dollars
160 (\$175,000) per fiscal quarter, subject to subsection (d)
161 of Section 40-26B-98.

162 (2) To pay emergency medical transport enhancements
163 to emergency transport providers pursuant to Section
164 40-26B-95."

165 "§40-26B-94

166

167 Replace line 113 on page 5 with the following:

168 transport enhancement rate. The total emergency



169 medical transport enhancement to all providers shall not
170 be greater than the assessment pool.

171
172 Replace lines 116 through 119 on page 5 with the
173 following:

174 the ~~assessment pool divided by the total number of~~
175 ~~emergency medical transports reimbursed by the Alabama~~
176 ~~Medicaid Agency as the primary payor to all emergency~~
177 ~~medical transport providers in the preceding fiscal~~
178 ~~quarter.~~ difference between the Medicaid rate for each
179 emergency medical transport and the average rate paid by
180 commercial insurers.