

107TH CONGRESS  
1ST SESSION

# S. 1367

To amend title XVIII of the Social Security Act to provide appropriate reimbursement under the medicare program for ambulance trips originating in rural areas.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2001

Ms. COLLINS (for herself and Mr. FEINGOLD) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to provide appropriate reimbursement under the medicare program for ambulance trips originating in rural areas.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Rural Ambu-  
5 lance Relief Act of 2001”.

6 **SEC. 2. HOLD HARMLESS PROVISION FOR RURAL AMBU-**  
7 **LANCE SERVICES.**

8 (a) IN GENERAL.—Section 1834(l) of the Social Se-  
9 curity Act (42 U.S.C. 1395m(l)) is amended—

(1) in paragraph (2)(A), by inserting “(other than increases required by paragraph (10))” after “part”;

(2) in paragraph (3)(A), by inserting “and if the services for which payment is made under paragraph (10) were paid under such fee schedule” after “in effect”;

(3) by redesignating paragraph (8), as added by section 221(a) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (114 Stat. 2763A–486), as enacted into law by section 1(a)(6) of Public Law 106–554, as paragraph (9); and

(4) by adding at the end the following new paragraph:

“(10) HOLD HARMLESS PROVISION FOR RURAL AMBULANCE SERVICES.—

“(A) IN GENERAL.—Notwithstanding the fee schedule established under paragraph (1), in the case of ambulance services furnished on or after the date on which the phase-in required under paragraph (2)(E) is initially implemented and before the date on which the fee schedule established under this subsection is modified to incorporate the adjustments authorized under

1 section 221(c) of the Medicare, Medicaid, and  
2 SCHIP Benefits Improvement and Protection  
3 Act of 2000 (or the date on which the Secretary  
4 determines that such a modification is unneces-  
5 sary), for which the transportation originates in  
6 a rural area (as defined in section  
7 1886(d)(2)(D)) or in a rural census tract of a  
8 metropolitan statistical area (as determined  
9 under the most recent modification of the Gold-  
10 smith Modification, originally published in the  
11 Federal Register on February 27, 1992 (57  
12 Fed. Reg. 6725)), the amount of payment  
13 under this subsection for such services shall be  
14 the greater of—

15 “(i) the amount determined under the  
16 fee schedule established under paragraph  
17 (1) (without regard to any phase-in estab-  
18 lished under paragraph (2)(E)); or

19 “(ii) the amount that would have been  
20 paid for such service if the amendments  
21 made by section 4531(b) of the Balanced  
22 Budget Act of 1997 had not been enacted.

23 “(B) PROHIBITING CERTAIN REDUC-  
24 TIONS.—Notwithstanding paragraph (3), the  
25 Secretary shall not reduce the payment

1            amounts under the fee schedule established  
2            under paragraph (1) to offset the increase in  
3            payments resulting from the application of sub-  
4            paragraph (A).”.

5            (b)            CONFORMING            AMENDMENT.—Section  
6    1833(a)(1)(R)(i) of the Social Security Act (42 U.S.C.  
7    1395l(a)(1)(R)(i)) is amended by inserting “(or, in the  
8    case of ambulance services to which paragraph (10) of  
9    such section applies, 80 percent of the lesser of the actual  
10   charge for such service or the amount determined under  
11   such paragraph)” after “1834(l)”.

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