

## **Bipartisan Budget Act (BBA) of 2018 (Public Law 115-123)**

The BBA of 2018 includes three major Medicare ambulance services provisions pertaining to: extensions of certain ground ambulance add-on payments, development of a data collection system for ground ambulance providers and suppliers, and payment reduction for non-emergency ESRD ambulance transports. A copy of the BBA of 2018 is available under Downloads. Summaries of these provisions are provided below.

### **Temporary Add-on Payments:**

Section 50203(a) of the BBA of 2018 includes an extension of the ground ambulance add-on payments under section 1834(l)(12) and (13) of the Social Security Act (the Act) that were set to expire December 31, 2017. They are now extended through December 31, 2022. The temporary add-on payments include: 3 percent increase in the base and mileage rate for ground ambulance transports that originate in rural areas, 2 percent increase in the base and mileage rate for ground ambulance transports that originate in urban areas; and 22.6 percent increase in the base rate for ground ambulance transports that originate in super rural areas. For further information regarding the implementation of this provision for claims processing, please see CR 10531 at <https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2018-Transmittals-Items/R2047OTN.html>.

### **Development of Data Collection System for Ground Ambulance Providers and Suppliers:**

Section 50203(b) of the BBA of 2018 adds a new paragraph (17) to section 1834(l) of the Act which directs the Secretary to develop a data collection system (which may include use of a cost survey) to collect cost, revenue, utilization, and other information determined appropriate by the Secretary with respect to providers and suppliers of ground ambulance services. Section 50203(b) of the BBA of 2018 states that such system shall be designed to collect information: needed to evaluate the extent to which reported costs relate to payment

rates; on the utilization of capital equipment and ambulance capacity, including information consistent with the type of information described in section 1121(a) of the Act; and on different types of ground ambulance services furnished in different geographic locations, including rural and super rural areas. Not later than December 31, 2019, the Secretary must specify the data collection system and identify a representative sample of providers and suppliers required to submit information under the data collection system for the first year. In addition, among other things, section 50203(b) of the BBA of 2018 adds section 1834(l)(17)(D) of the Act which requires, subject to certain conditions, a 10 percent reduction to ambulance fee schedule payments made to a provider or supplier that is required to submit information under the data collection system with respect to a period, and does not sufficiently submit such information, as determined by the Secretary. Please see the BBA of 2018, available under Downloads, for additional provisions included in Section 50203(b). CMS is currently working to develop proposals to implement these provisions through rulemaking.

**Non- Emergency ESRD Ambulance Transports:**

Section 53108 of the BBA of 2018 amends Section 1834(l)(15) of the Act pertaining to ambulance fee schedule reductions for non-emergency ESRD ambulance transports. Effective for ambulance services furnished on or after October 1, 2018 consisting of non-emergency basic life support services involving transport of ESRD patients for renal dialysis services furnished other than on an emergency basis by a provider of services or renal dialysis facility, this provision increases the reduction in ambulance fee schedule payments from 10 to 23 percent. The 10 percent reduction applies for ambulance services (as described in section 1834(l)(15) of the Act) furnished during the period beginning on October 1, 2013 and ending on September 30, 2018. For further information regarding application of this mandated rate decrease, please see CR 10549 at <https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2018-Transmittals-Items/R4017CP.html>.

