

CHAPTER 160**(HJR 38)**

A JOINT RESOLUTION directing and urging the Cabinet for Health and Family Services take actions to improve emergency medical services and declaring an emergency.

WHEREAS, emergency medical services providers are paid for transporting a patient to a hospital and, only in specific situations, for treating a patient without transporting the patient to a hospital or to another location; and

WHEREAS, there is no reimbursement for keeping ambulances ready to respond or for responding to a 911 call where treatment is unnecessary or a patient refuses treatment; and

WHEREAS, Medicaid transport rates of \$100 for advanced life support and \$82.50 for basic life support have remained the same for over 10 years, while the costs of providing services have risen significantly; and

WHEREAS, relative to Medicaid reimbursement rates, the rates for surrounding states and Medicare are 30 percent to 400 percent higher; and

WHEREAS, Medicare reimburses approximately 50 percent of the actual cost of EMS, and Medicaid reimburses approximately 10 percent; and

WHEREAS, the Emergency Medical Services Task Force recommended that the Cabinet for Health and Family Services apply for a Medicaid waiver to permit the coverage of triage, treatment, and transport of patients by emergency ambulance services, submit a state Medicaid plan amendment to cover treatment in place without transportation for emergency ambulance services, and to increase Medicaid reimbursement rates for ambulance services as funds become available;

NOW, THEREFORE,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. The General Assembly hereby:

(1) Directs the Cabinet for Health and Family Services to:

(a) Apply for a Medicaid waiver to permit the coverage of triage, treatment, and transport of patients by emergency ambulance services; and

(b) Submit a state Medicaid plan amendment to cover treatment in place without transportation for emergency ambulance services; and

(2) Urges the Cabinet for Health and Family Services to increase Medicaid reimbursement rates for ambulance services as funds become available.

➔Section 2. The Cabinet for Health and Family Services shall report to the Interim Joint Committee on Health, Welfare, and Family Services by August 1, 2023, of any actions taken and any necessary legislative action that may be needed to obtain a Medicaid waiver to permit the coverage of triage, treatment, and transport of patients by emergency ambulance services and to obtain approval for a state Medicaid plan amendment to cover treatment in place without transportation for emergency ambulance services targeting individuals with severe mental illness.

➔Section 3. In the event the Legislative Research Commission dissolves the Interim Joint Committee on Health, Welfare, and Family Services and establishes another interim joint committee with jurisdiction over health services, the report required in Section 2 of this Act shall be submitted to that interim joint committee.

➔Section 4. Whereas, the General Assembly believes the citizens of the Commonwealth deserve the best possible emergency medical services, an emergency is declared to exist, and this Resolution takes effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Signed by Governor March 31, 2023.