

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

SENATE BILL 189

5 By: Senator Teague  
6 By: Representative L. Johnson  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE ASSESSMENT FEE AND PROGRAM ON  
10 MEDICAL TRANSPORTATION PROVIDERS WITHIN THE ARKANSAS  
11 MEDICAID PROGRAM; TO DECLARE AN EMERGENCY; AND FOR  
12 OTHER PURPOSES.  
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## Subtitle

15 TO AMEND THE ASSESSMENT FEE AND PROGRAM  
16 ON MEDICAL TRANSPORTATION PROVIDERS  
17 WITHIN THE ARKANSAS MEDICAID PROGRAM; AND  
18 TO DECLARE AN EMERGENCY.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code § 20-77-2802(3)-(5), concerning definitions  
25 used regarding the assessment fee and program on medical transportation  
26 providers, are amended to read as follows:

27 (3) "Emergency medical services" means:

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

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

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

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



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

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

5 (5) “Medical transportation provider” means a licensed provider  
6 of emergency medical transportation, as defined by 42 C.F.R. § 433.56(a)(18),  
7 as it existed on January 1, 2021;  
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9 SECTION 2. Arkansas Code § 20-77-2806, concerning exemptions to the  
10 assessment fee and program on medical transportation providers, is amended to  
11 add an additional subsection to read as follows:

12 (c) This subchapter does not:

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

15 (2) Subject nonemergency transportation providers that are  
16 contracted with the department to any part of the upper payment limits or  
17 access payments.  
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19 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
20 General Assembly of the State of Arkansas that medical transportation  
21 providers are struggling to remain viable in providing access to healthcare  
22 services; that the increased payments provided for under this act will allow  
23 medical transportation providers to provide access to quality health care;  
24 that the Department of Human Services must develop a state plan amendment  
25 that must be approved by the Centers for Medicare and Medicaid Services  
26 before the increased payments can be distributed to the medical  
27 transportation providers; and that this act is immediately necessary to  
28 ensure that medical transportation providers remain viable to provide  
29 healthcare services to the citizens of Arkansas. Therefore, an emergency is  
30 declared to exist, and this act being immediately necessary for the  
31 preservation of the public peace, health, and safety shall become effective  
32 on:

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

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

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

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