

PROPOSED AMENDMENT

SENATE AMENDMENTS TO S.B. 1013

(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 36-2239, Arizona Revised Statutes, is amended to  
3 read:

4 36-2239. Rates or charges of ambulance service

5 A. An ambulance service that applies for an adjustment in its rates or  
6 charges shall automatically be granted a rate increase equal to the amount  
7 determined under section 36-2234, subsection E, if the ambulance service is  
8 so entitled. An automatic rate adjustment **THAT IS** granted pursuant to this  
9 subsection and that is filed on or before April 1 is effective June 1 of that  
10 year. The department shall notify the applicant and each health care  
11 services organization as defined in section 20-1051 of the rate adjustment on  
12 or before May 1 of that year.

13 B. Notwithstanding subsection D of this section, if the department  
14 does not hold a hearing within ninety days after an ambulance service submits  
15 an application to the department for an adjustment of its rates or charges,  
16 the ambulance service may adjust its rates or charges to an amount not to  
17 exceed the amount sought by the ambulance service in its application to the  
18 department. An ambulance service shall not apply for an adjustment of its  
19 rates or charges more than once every six months.

20 C. At the time it holds a hearing on the rates or charges of an  
21 ambulance service pursuant to section 36-2234, the department may adjust the  
22 rates or charges adjusted by the ambulance service pursuant to subsection B  
23 of this section, but the adjustment shall not be retroactive.

24 D. **EXCEPT AS PROVIDED IN SUBSECTION H OF THIS SECTION**, an ambulance  
25 service shall not charge, demand or collect any remuneration for any service  
26 greater or lesser than or different from the rate or charge determined and  
27 fixed by the department as the rate or charge for that service. An ambulance

1 service may charge for disposable supplies, medical supplies and medication  
2 and oxygen related costs if the charges do not exceed the manufacturer's  
3 suggested retail price, are uniform throughout the ambulance service's  
4 certificated area and are filed with the director. An ambulance service shall  
5 not refund or limit in any manner or by any device any portion of the rates  
6 or charges for a service which the department has determined and fixed or  
7 ordered as the rate or charge for that service.

8 E. The department shall determine and render its decision regarding  
9 all rates or charges within ninety days after commencement of the applicant's  
10 hearing for an adjustment of rates or charges. If the department does not  
11 render its decision as required by this subsection, the ambulance service may  
12 adjust its rates and charges to an amount that does not exceed the amounts  
13 sought by the ambulance service in its application to the department. If the  
14 department renders a decision to adjust the rates or charges to an amount  
15 less than that requested in the application and the ambulance service has  
16 made an adjustment to its rates and charges that is higher than the  
17 adjustment approved by the department, within thirty days after the  
18 department's decision the ambulance service shall refund to the appropriate  
19 ratepayer the difference between the ambulance service's adjusted rates and  
20 charges and the rates and charges ordered by the department. The ambulance  
21 service shall provide evidence to the department that the refund has been  
22 made. If the ambulance service fails to comply with this subsection, the  
23 director may impose a civil penalty subject to the limitations provided in  
24 section 36-2245.

25 F. An ambulance service shall charge the advanced life support base  
26 rate as prescribed by the director under any of the following circumstances:

27 1. A person requests an ambulance by dialing telephone number 911, or  
28 a similarly designated telephone number for emergency calls, and the  
29 ambulance service meets the following:

30 (a) The ambulance is staffed with at least one ambulance attendant.

1 (b) The ambulance is equipped with all required advanced life support  
2 medical equipment and supplies for the advanced life support attendants in  
3 the ambulance.

4 (c) The patient receives advanced life support services or is  
5 transported by the advanced life support unit.

6 2. Advanced life support is requested by a medical authority or by the  
7 patient.

8 3. The ambulance attendants administer one or more specialized  
9 treatment activities or procedures as prescribed by the department by rule.

10 G. An ambulance service shall charge the basic life support base rate  
11 as prescribed by the director under any of the following circumstances:

12 1. A person requests an ambulance by dialing telephone number 911, or  
13 a similarly designated telephone number for emergency calls, and the  
14 ambulance service meets the following:

15 (a) The ambulance is staffed with two ambulance attendants certified  
16 by this state.

17 (b) The ambulance is equipped with all required basic life support  
18 medical equipment and supplies for the basic life support medical attendants  
19 in the ambulance.

20 (c) The patient receives basic life support services or is transported  
21 by the basic life support unit.

22 2. Basic life support transportation or service is requested by a  
23 medical authority or by the patient, unless any provision of subsection F of  
24 this section applies, in which case the advanced life support rate shall  
25 apply.

26 H. ~~Subsection F, paragraph 1 of this section does not apply to a~~  
27 Remuneration made ~~pursuant to~~ BY the Arizona health care cost containment  
28 system AND ITS CONTRACTORS AND SUBCONTRACTORS FOR PERSONS ENROLLED IN OR  
29 COVERED BY THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM SHALL BE PAID AT  
30 AN AMOUNT EQUAL TO EIGHTY PER CENT OF THE AMOUNTS PRESCRIBED BY SUBSECTIONS F  
31 AND G OF THIS SECTION AND EIGHTY PER CENT OF THE MILEAGE CHARGES AS  
32 DETERMINED BY THE DEPARTMENT PURSUANT TO SECTION 36-2322.

1 I. In establishing rates and charges the director shall consider the  
2 following factors:

3 1. The transportation needs assessment of the medical response system  
4 in a political subdivision.

5 2. The medical care consumer price index of the United States  
6 department of labor, bureau of labor statistics.

7 3. Whether a review is made by a local emergency medical services  
8 coordinating system in regions where that system is designated as to the  
9 appropriateness of the proposed service level.

10 4. The rate of return on gross revenue.

11 5. Response times pursuant to section 36-2232, subsection A, paragraph  
12 2.

13 J. Notwithstanding section 36-2234, an ambulance service may charge an  
14 amount for medical assessment, equipment or treatment that exceeds the  
15 requirements of section 36-2205 if requested or required by a medical  
16 provider or patient.

17 K. Notwithstanding subsections D, F and G of this section, an  
18 ambulance service may provide gratuitous services if an ambulance is  
19 dispatched and the patient subsequently declines to be treated or  
20 transported.”

21 Renumber to conform

22 Amend title to conform

RUSSELL PEARCE

6/8/09  
4:19 PM  
S: JLA/tam