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# Wisconsin Legislative Council

## ACT MEMO

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**2021 Wisconsin Act 228**  
[2021 Assembly Bill 874]

**Emergency Transportation  
Services Under Medical  
Assistance**

### 2021 WISCONSIN ACT 228

The act creates new programs to facilitate supplemental reimbursements under the Medical Assistance (MA) program for both privately owned and public ambulance services.

The act provides for supplemental MA reimbursements for privately owned ambulance services by implementing an assessment program. Specifically, the act requires the Department of Health Services (DHS), which administers the MA program, to impose a fee on each privately owned ambulance service provider for the privilege of doing business in Wisconsin. The amount of the fee is based on a uniform percentage of the eligible ambulance service provider's net patient revenues from emergency ambulance transports. All fees collected are deposited into a separate nonlapsible trust fund that DHS must use to pay supplemental reimbursement for privately owned ambulance services for services provided under MA, and an eligible ambulance service provider cannot increase rates it charges for its services because of the imposition of the fee. The act also provides that health plans must be indemnified and held harmless for any errors made by DHS or its agents in calculation of any supplemental reimbursement.

DHS must submit a request for any state plan amendment, waiver, or other approval that is required to implement the assessment program, and DHS may not collect the assessment unless the federal government approves the request. The act also provides that DHS must include in its 2023-25 biennial budget request an appropriation to expend the moneys in the ambulance service provider trust fund, including any request to expend the ambulance service provider trust fund moneys for DHS' administrative costs. Before the passage of the 2023-25 biennial budget act, DHS may submit to the Joint Committee on Finance a request to supplement one of the department's appropriations for the purpose of paying administrative costs.

The act provides for supplemental MA reimbursements for public ambulance services, which includes any ambulance service provider that is owned by any municipality or group of municipalities, regardless of whether or not the ambulance service provider is organized as a nonprofit corporation, by requiring that DHS seek federal approval of a state plan amendment that would allow supplemental MA reimbursement through certified public expenditures. If approved, DHS would be required to pay a supplemental reimbursement to public ambulance service providers that comply with a certified public expenditure arrangement equal to the amount of federal financial participation for ground emergency medical transportation services. The act also specifies that the total reimbursement under the MA program for the transportation may not exceed the actual cost to the ambulance service provider of providing the transportation.

**Effective date:** April 10, 2022

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