

101 CMR 327.00: RATES OF PAYMENT FOR AMBULANCE AND WHEELCHAIR VAN SERVICES

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327.01: General Provisions

(1) Scope and Purpose. 101 CMR 327.00 governs the rates of payment to eligible ambulance and wheelchair van service providers to be used by all governmental units for services provided to publicly aided individuals. The ground transport rates set forth in 101 CMR 327.00 also apply to individuals covered by the Workers' Compensation Act, M.G.L.c.152.

(2) Effective Date. Rates contained in 101 CMR 327.00 are effective for dates of service on or after September 20, 2019.

(3) Disclaimer of Authorization of Services. 101 CMR 327.00 is not authorization for or approval of the services for which rates are determined pursuant to 101 CMR 327.00. Governmental units that purchase services are responsible for the definition, authorization, and approval of care and services provided to publicly aided individuals.

(4) Coverage. The rates of payment in 101 CMR 327.00 constitute payment in full for all services provided by an eligible provider, including administration and professional supervision services. The payment rates will apply to ambulance and wheelchair van services provided by eligible providers to publicly aided individuals whose medical condition requires the use of such vehicles under the conditions described by the purchasing governmental unit.

(5) Exclusion. 101 CMR 327.00 and the payment rates in 101 CMR 327.03 shall not, under any conditions, apply when the purchasing governmental unit determines that:

- (a) no medical necessity exists; or
- (b) some means of transportation other than an ambulance or wheelchair van may be used without endangering the patient's health; or
- (c) ambulance or wheelchair van usage is for an unauthorized purpose.

(6) Coding Updates and Corrections. EOHHS may publish service code updates and corrections in the form of an administrative bulletin. Updates may reference coding systems including but not limited to the *Healthcare Common Procedure Coding System (HCPCS)*. The publication of such updates and corrections will list:

- (a) codes for which the code numbers change, with the corresponding cross references between existing and new codes and the codes being replaced. Rates for such new codes are set at the rate of the code that is being replaced;
- (b) codes for which the code number remains the same but the description has changed;
- (c) deleted codes for which there are no corresponding new codes; and
- (d) codes for entirely new services that require pricing. EOHHS will list these codes and apply individual consideration (I.C.) payment for these codes until appropriate rates can be developed.

(7) Administrative Bulletins. EOHHS may issue administrative bulletins to clarify its policy on and understanding of substantive provisions of 101 CMR 327.00, or to issue coding updates and corrections under 101 CMR 327.01(6).

#### 327.02: General Definitions

Meaning of Terms. As used in 101 CMR 327.00, terms have the meanings set forth in 101 CMR 327.02.

Ambulance. An aircraft, boat, motor vehicle or other means of transportation, however named, whether privately or publicly owned, which is intended to be used for, and is maintained and operated for, the response to and the transportation of sick or injured individuals.

Center. The Center for Health Information and Analysis, established under M.G.L. c. 12C.

Eligible Provider. A person, partnership, corporation, governmental unit or other entity that provides authorized emergency ambulance, nonemergency ambulance, and/or wheelchair van services and that also meets such conditions of participation as have been or may be adopted from time to time by a governmental unit purchasing ambulance services.

EOHHS. The Executive Office of Health and Human Services established under M.G.L. c. 6A.

Governmental Unit. The Commonwealth of Massachusetts or, any of its departments, agencies, boards, or commissions, or political subdivisions.

Individual Consideration (I.C.). Rates of payment to eligible providers for services authorized but not listed herein, or authorized services performed in exceptional circumstances will be determined on an individual consideration basis by the governmental unit upon receipt of a bill that describes the services rendered. Eligible providers must maintain adequate records to determine the appropriateness of their I.C. claims and must provide these documents to the governmental unit upon request.

Loaded Mileage. The actual distance a person or persons is (are) transported in an ambulance or wheelchair van.

Publicly Aided Individual. A person for whose medical and other services a governmental unit is in whole or in part liable under a statutory program.

Trip. The event of pick-up, transport and delivery of a person or persons to or from a hospital or other health care facility by an ambulance or wheelchair van.

Wheelchair Van. A motor vehicle that is specifically equipped to carry one or more persons who are mobility-handicapped or using a wheelchair.

#### 327.03: General Rate Provisions and Payment

(1) Rate Determination. The rates for authorized ambulance and wheelchair van services under 101 CMR 327.00 are the lowest of:

- (a) the eligible provider's usual fee to patients other than publicly-aided individuals; or
- (b) the eligible provider's actual charge submitted; or
- (c) the schedule of fees set forth in 101 CMR 327.03.

(2) Allowable Trip Fees for Ambulance Services.

Code	Allowable Fee	Description of Code
A0425	\$2.99	Ground mileage, per statute mile (loaded mileage)
A0426	\$189.45	Ambulance service, advanced life support, non-emergency transport, level 1 (ALS 1)
A0427	\$299.97	Ambulance service, advanced life support, emergency transport, level 1 (ALS 1 - emergency)
A0428	\$157.88	Ambulance service, basic life support, non-emergency transport (BLS)
A0429	\$252.61	Ambulance service, basic life support, emergency transport (BLS-emergency)
A0430	\$3,775.00	Ambulance service, conventional air services, transport, one way (fixed wing)
A0431	\$3,775.00	Ambulance service, conventional air services, transport, one way (rotary wing)
A0433	\$434.17	Advanced life support, level 2 (ALS 2)
A0434	\$513.11	Specialty care transport (SCT)
A0170	I.C.	Transportation ancillary; parking fees, tolls, other (used only for ferry charges)
A0999	I.C.	Unlisted ambulance service (used for transporting bariatric patients only)

(3) Billing Certification. Each eligible provider who submits an invoice to a governmental unit for authorized ambulance services must certify to the accuracy of the level of services provided, as listed on its invoice.

(4) Allowable Trip Fees for Wheelchair Van Services.

Code	Allowable Fee	Description of Code
A0130	\$40.55	Nonemergency transportation; wheelchair van (each way)
S0215	\$1.46	Nonemergency transportation; mileage, per mile (wheelchair van, loaded mileage)
T2001	\$8.00	Nonemergency transportation; patient attendant/escort (wheelchair van, each way)

327.04: Special Contracts.

Notwithstanding 101 CMR 327.03 and 327.04, a governmental unit may enter into a special contract with an eligible provider under which the governmental unit will pay for services authorized but not listed herein, or authorized services performed in exceptional circumstances.

327.05: Reporting Requirements

(1) Required Reports. Reporting requirements are governed by 957 CMR 6.00: *Cost Reporting Requirements*.

(2) Penalty for Noncompliance. The purchasing governmental unit may impose a penalty in the amount of up to 15% of its payments to any provider that fails to submit required information. The purchasing governmental unit will notify the provider in advance of its intention to impose a penalty under 101 CMR 327.05(2).

327.06 Severability

The provisions of 101 CMR 327.00 are severable and if any provisions of 101 CMR 327.00 or the application of such provisions to any person or circumstances is held to be invalid or unconstitutional, such invalidity shall not be construed to affect the validity or constitutionality of any remaining provisions of 101 CMR 327.00 or application of such provisions to eligible providers or circumstances other than those held invalid.

REGULATORY AUTHORITY

101 CMR 327.00: M.G.L.c.118E.