MAY 2019

STATEMENT OF OPPOSITION

S3685 Brooks /A1778 Jones
Changes to General Municipal Law 209-b

An Act to amend the general municipal law and the town law, in relation to authorizing fees and charges for emergency medical services.

This bill is to amend General Municipal Law (“GML”) 209-b to remove the prohibition against volunteer fire departments to bill for Emergency Medical Services (“EMS”). This proposed legislation creates serious public policy concerns. Currently, fire districts are prohibited from billing Medicare for EMS services rendered. Because this prohibition exists, Advanced Life Support supplied by private, volunteer or hospital based agencies that “intercept” with Basic Life Support agencies are permitted under federal limited exception to bill Medicare for services rendered.

The NYSVARA agrees to and supports allowing fire districts that operate ambulance services and bill to recoup expenditures. However, we are fearful that patients served by several EMS agencies, especially in our rural areas, which have not and will not bill for their services, will be adversely affected. Should this bill pass, those “limited exceptions” would end, thus these integral ALS providers would be forced to bill patients for these critical, life-saving services, potentially costing our community members thousands of dollars out of pocket.

Further, it has been demonstrated that there are mechanisms that allow volunteer fire districts to access healthcare dollars without the need remove access for current ALS providers to this critical federal Medicare benefit. These include: creation of a not-for-profit ambulance corps, creation of an ambulance district, or partnering with an existing commercial or not-for-profit ambulance service provider. These solutions have been used successfully to assist volunteer Fire Departments who truly are in need of generating addition revenue for their EMS operations. These methods also provide safeguards to ensure money is being used appropriately. If fire districts are allowed to bill without these safeguards, there is also no guarantee that the money generated will not be diverted to non-EMS activities.

Therefore, as currently written, we seek your OPPOSITION to S3685A / A1778

NYSVARA remains the voice of Volunteer and not-for-profit EMS in New York State.