

118TH CONGRESS
1ST SESSION

S. _____

To amend title XVIII of the Social Security Act to revise payment for air ambulance services under the Medicare program.

IN THE SENATE OF THE UNITED STATES

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title XVIII of the Social Security Act to revise payment for air ambulance services under the Medicare program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Air Ambu-
5 lance Services for Americans Act of 2023”.

6 **SEC. 2. IMPROVEMENTS TO MEDICARE PAYMENT SYSTEM**
7 **FOR AIR AMBULANCE SERVICES.**

8 Section 1834(l) of the Social Security Act (42 U.S.C.
9 1395m(l)) is amended by adding at the end the following
10 new paragraph:

1 “(18) IMPROVEMENTS TO MEDICARE PAYMENT
2 SYSTEM FOR AIR AMBULANCE SERVICES.—

3 “(A) IN GENERAL.—The Secretary may re-
4 vise the fee schedule otherwise established
5 under this subsection for air ambulance services
6 based on data described in subparagraph (B)
7 and data collected under subparagraph (C).

8 “(B) DATA DESCRIBED.—For purposes of
9 subparagraph (A), the data described in this
10 subparagraph is data collected pursuant to the
11 provisions of, and amendments made by, section
12 106 of division BB of the Consolidated Appro-
13 priations Act, 2021 (Public Law 116–260).

14 “(C) ADDITIONAL DATA COLLECTION.—
15 The Secretary shall require, once every 3 years,
16 providers of services and suppliers furnishing
17 air ambulance services to submit to the Sec-
18 retary—

19 “(i) data relating to the fixed and op-
20 erated costs per air ambulance base attrib-
21 utable to furnishing air ambulance services
22 to individuals enrolled under this part and
23 data relating to the utilization of such
24 services by such individuals;

1 “(ii) data relating to the revenue ob-
2 tained by such providers and suppliers
3 under this part attributable to the fur-
4 nishing of such services; and

5 “(iii) any other information deter-
6 mined appropriate by the Secretary.

7 “(D) CONSULTATION.—In the case that
8 the Secretary elects to revise the fee schedule
9 for air ambulance services under subparagraph
10 (A), the Secretary shall consider stakeholder
11 input in a process that is transparent and ap-
12 propriately considers data described in subpara-
13 graph (B) and data collected under subpara-
14 graph (C).”.

15 **SEC. 3. GAO STUDY ON EMERGENCY AIR AMBULANCE**
16 **COSTS.**

17 Not later than 1 year after the date on which data
18 begins to be collected pursuant to the provisions of, and
19 amendments made by, section 106 of division BB of the
20 Consolidated Appropriations Act, 2021 (Public Law 116–
21 260), the Comptroller General of the United States shall
22 submit to the Committee on Finance of the Senate and
23 the Committee on Ways and Means and the Committee
24 on Energy and Commerce of the House of Representa-
25 tives, a report detailing—

1 (1) the average annual operating costs per air
2 ambulance base;

3 (2) the average cost per transport by air ambu-
4 lance;

5 (3) the payor mix for air ambulance services;

6 (4) the adequacy of Medicare payments for
7 such services;

8 (5) geographic variations in the cost of fur-
9 nishing such services; and

10 (6) recommendations on improving the fee
11 schedule under section 1834(l) of the Social Security
12 Act (42 U.S.C. 1395m(l)) for air ambulance serv-
13 ices.