



New York State Volunteer Ambulance and Rescue Association, Inc.

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STATEMENT OF OPPOSITION

S363 Little /A7717a 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.

The 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 agencies who “intercept” with Basic Life Support agencies, in rural communities, are permitted to bill Medicare for this service (Medicare ALS intercept exemption). If this legislation be passed, this Medicare exemption is no longer in effect resulting in thousands of elderly and disabled citizens losing their Medicare ALS intercept benefit . NYSVARA believes this legislation would place undue hardship on rural residents of the state who, as a result of this change, would now be responsible to pay the ALS agency out of their pockets which could be hundreds of dollars. It is often the people who need this service the most, are the ones who are most severely affected.

Further, it has been demonstrated that there are mechanisms that allow volunteer fire districts to access healthcare dollars without the need to change the law that would remove access to this critical federal Medicare benefit. These include: creation of a not-for-profit ambulance corps housed under the fire house roof, creation of a not-for-profit ambulance corps housed under a separate roof, creation of an ambulance district, contracting with an existing commercial or not-for-profit ambulance service provider that is authorized to bill and other private-public partnerships. 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 insure the 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.

This proposed legislation will have a significant negative fiscal impact on the NYS budget by increasing Medicaid expenditures at a time when the State continually faces multibillion dollar budget deficits. Volunteer fire departments will begin charging fees for service, and they will begin billing NYS Medicaid for EMS services provided to Medicaid beneficiaries. Each claim submitted by a volunteer fire department ambulance service will be a new claim against the Medicaid program.

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

Therefore, in the strongest terms possible, we urge your opposition to any changes to GML 209-b.

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