

2027 South Dakota Legislature

Draft 83

Requested by: The Interim Committee on Emergency Medical Services Funding Task Force

1 **An Act to require reimbursement and coverage for certain services provided by an**
2 **ambulance service.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That a NEW SECTION be added to chapter 28-6:**

5 The Department of Social Services shall reimburse an ambulance service, as
6 defined in § 34-11-2, for medically necessary care that is provided to a medical assistance
7 recipient at the scene of a medical emergency and does not result in transportation of the
8 recipient to a hospital.

9 If advanced life support, as defined in § 36-4B-1, is provided by an ambulance
10 service at the scene of a medical emergency, the department must reimburse the service
11 at the department's usual advanced life support rate.

12 The department shall promulgate rules, pursuant to chapter 1-26, to establish and
13 annually adjust the reimbursement amount for each service provided pursuant to this
14 section, based on a percentage of current normal and customary fees in this state.

15 **Section 2. That a NEW SECTION be added to chapter 28-6:**

16 The Department of Social Services shall provide reimbursement to an ambulance
17 service, as defined in § 34-11-2, for:

18 (1) Mileage incurred in the transportation of a medical assistance recipient to a hospital
19 or other destination as deemed appropriate by the ambulance service's medical
20 director or program director; and

21 (2) Mileage incurred travelling to and from the scene of a medical emergency, if the
22 service provides medically necessary care at the scene to a medical assistance
23 recipient but does not transport the recipient.

24 The department shall promulgate rules, pursuant to chapter 1-26, to establish and
25 annually adjust the reimbursement amount for each service provided pursuant to this
26 section, based on a percentage of current normal and customary fees in this state.

27 **Section 3. That a NEW SECTION be added to chapter 58-17:**

Each policy of health insurance that is delivered, issued for delivery, or renewed in this state, except for a policy that provides coverage for a specified disease or other limited benefit coverage, must provide coverage for:

- (1) The transportation of a patient by an ambulance to a hospital or other destination, as deemed appropriate by the ambulance service's medical director or program director; and
- (2) Medically necessary care that is provided by an ambulance service, as defined in § 34-11-2, to a patient at the scene of a medical emergency, and which does not result in transportation of the patient to a hospital.

The reimbursement rate for an ambulance service that provides medically necessary care to a patient at the scene of a medical emergency, pursuant to subdivision (2) of this section, must be based on the level of support being provided by the service, and include mileage to and from the scene.

The benefits provided pursuant to this section are subject to the same dollar limits, deductibles, coinsurance, and other limitations provided for other covered benefits in the policy.

Section 4. That a NEW SECTION be added to chapter 58-18:

Each policy of group health insurance that is delivered, issued for delivery, or renewed in this state, except for a policy that provides coverage for a specified disease or other limited benefit coverage, must provide coverage for:

- (1) The transportation of a patient by ambulance to a hospital or other destination, as deemed appropriate by the ambulance service's medical director or program director; and
- (2) Medically necessary care that is provided by an ambulance service, as defined in § 34-11-2, to a patient at the scene of a medical emergency, and which does not result in transportation of the patient to a hospital.

The reimbursement rate for an ambulance service that provides medically necessary care to a patient at the scene of a medical emergency, pursuant to subdivision (2) of this section, must be based on the level of support being provided by the service, and include mileage to and from the scene.

The benefits provided pursuant to this section are subject to the same dollar limits, deductibles, coinsurance, and other limitations provided for other covered benefits in the policy.