



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF PUBLIC SAFETY
MAINE EMERGENCY MEDICAL SERVICES
152 STATE HOUSE STATION
AUGUSTA, MAINE 04333



MICHAEL SAUSCHUCK
COMMISSIONER

J. SAM HURLEY
DIRECTOR

Testimony of J. Sam Hurley, MPH, EMPS, NRP

Director, Maine Bureau of Emergency Medical Services (Maine EMS)

Department of Public Safety

Neither for Nor Against LD 1258

*"An Act to Implement the Recommendations of the Stakeholder Group Convened by the
Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by
Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in
Carrier Networks"*

Sponsored by Representative Denise Tepler

BEFORE THE JOINT STANDING COMMITTEE ON HEALTH COVERAGE, INSURANCE
AND FINANCIAL SERVICES

Public Hearing: Tuesday, April 20, 2021 at 10:00

Senator Sanborn, Representative Tepler, and honorable members of the Joint Standing
Committee on Health Coverage, Insurance and Financial Services:

My name is Sam Hurley and I am the Director of Maine Emergency Medical Services, Maine
EMS, within the Department of Public Safety. I am testifying neither for nor against LD 1258,
*"An Act to Implement the Recommendations of the Stakeholder Group Convened by the
Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by
Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in
Carrier Networks"* on behalf of Maine Department of Public Safety and Maine EMS.

As directed by LD 2105 from the Second Session of the 129th Legislature, the Maine EMS Board
convened a committee of insurance and EMS stakeholders to discuss payment for services
rendered throughout the state. The resulting product reflects hours of time that has been invested

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PHONE: (207) 626-3860

TTY: (207) 287-3659

FAX: (207) 287-6251

With offices located at the Central Maine Commerce Center, 45 Commerce Drive, Suite 1, Augusta, ME 04330

by a variety of parties representing EMS agencies, the Ambulance Association, and the insurance industry. We are excited to see standardization in the contract language and additional days to submit claims for processing. There are additional findings that were included in the bill language that Maine EMS supports; however, we believe that it is important to recognize that they have the potential to affect the passage of the bill and/or its implementation and so the Committee may wish to address them as part of the work session.

More specifically:

Section 3. Subsection 1. Paragraph D: While Maine EMS traditionally avoids speaking on reimbursement matters related to EMS agencies as we are primarily a regulatory body, we do know that there are some services that are only charging the Medicare rates for transports at this time. The provisions in this section would mean that it would take them approximately 15 years to reach double their rates to the allowable amount (200% of Medicare) without considering the added effects of inflation. As a result, we would suggest that the Committee revise this section to reflect no more than 10% increases annually.

Section 4. Subsection 1: Maine EMS is wholly supportive of requiring new services to undergo an evaluative process to better understand the EMS needs and the capacity to support them within their community. This process would be akin to a certificate of need for EMS agencies. It is important to note that this will likely add a significant fiscal note to this bill in so far that it will require a full-time staff member to manage this process for EMS agencies throughout the State of Maine.

Section 5: Paragraph K: Maine EMS is also fully supportive of establishing cost reporting mechanisms. We aren't sure if there are more appropriate entities at Maine DHHS who have existing experience in cost reporting; however, no matter where this addition lands in the final legislation, it will require a fiscal note as those duties and responsibilities cannot be absorbed by our office based on our current bandwidth. Maine EMS supports these efforts; however, this too would require a fiscal note for increased staffing as we currently do not have the internal capacity to add this additional duty.

Section 6: Maine EMS is supportive of reporting back out to the Maine Legislature; however, we are concerned about the implementation timeline for this process if the report is due February 1, 2023. Depending on the date that this current legislative session ends and the time in which thoughtful rulemaking can be conducted and implemented, I have concerns about the capacity of the stakeholder group to craft a meaningful report. Maine EMS would ask the Committee to consider either the addition of an emergency clause or to extend the deadline of the report to 2024.

Overall, Maine EMS is extremely grateful for the incredible work that was invested by both EMS and insurance industry stakeholders. My office believes that this bill speaks directly to some issues that must be addressed moving forward; however, we just want to address these concerns so no one is blindsided by fiscal notes and other hurdles that may stand in the way of full implementation.

Thank you for your time and consideration. I will do my best to answer any questions, comments, or concerns that you may have.