

MONDAY MORNING GROUP OF WESTERN RIVERSIDE COUNTY
ANNUAL ADVOCACY TRIP – WASHINGTON, DC
April 9 – 11, 2024

VETERAN AFFAIRS EMERGENCY TRANSPORTATION ACCESS ACT

ISSUE: Veteran access to vital emergency and non-emergency ground and air ambulance services are at risk loss. Ambulance services play a key role in the health care safety net for our veterans, especially those living in rural and underserved areas without access to emergency care. Without Congressional action, veteran access to this critical medical lifeline runs the risk of the reduced reimbursements by 90% for certain ambulance services if the Department of Veterans Affairs (VA) implements its final rule. Due to persistent pressure from members of Congress, the VA recently delayed rule implementation until February 2025. Even with VA's announced delay, it remains committed to implementing a flawed brokerage system for contracting services underscoring the need for Congressional action.

ACTION: The Monday Morning Group encourages you to support The VA Emergency Transportation Access Act (S. 2757; H.R. 5530), a bipartisan effort that was introduced by Senators Tester, Moran, Murray and Boozman, and Chairman Mike Bost in the House. The passage of the bill is critical to protecting veteran access to emergency ambulance services and will prohibit the VA from reducing pay and reimbursement rates for special mode transportation providers until the VA does the following:

- The VA Secretary conducts a thorough review of rates change with regard to access to care and economic impact for Veterans. The review must be conducted in consultation with industry experts, CMS, appropriate VA subject matter experts, and Veteran Service Organizations.
- The Secretary must develop a formal process of updating the rates that protects or expands current access levels; and
- The new rates must be confirmed to reflect the actual costs of transportation.
- If a future change allows for the establishment of contracted rates other than the Department's established rates, VA must provide a standardized template for these contracts and submit it to Congress for feedback. VA must also issue guidance regarding the template across appropriate Department offices and the special mode transportation industry.
- All requirements are considered effective January 1, 2023.

BACKGROUND: AP89-Final Rule-Change in Rates VA Pays for Special Modes of Transportation will take effect February 16, 2025. This rule amends Veterans Health Administration (VHA) regulations regarding reimbursement for ambulance transport of its beneficiaries. It proposes a new payment methodology for those services based on rates paid by Medicare Part B. However, VHA's impact analysis of the rule is flawed.

The impact of AP89 will result in a staggering reduction in reimbursement for all emergency ambulance transports of VA beneficiaries. As a result, there will be a reduction of access to services for Veterans in need of transport by ambulances for life-threatening conditions. These changes will significantly and immediately affect ambulance providers' ability to sustain ambulance services, especially in rural and underserved areas where ambulances are a lifeline to veteran care. Consequently, there will be longer out-of-hospital times for emergency transport of veterans with time-sensitive injuries and illnesses. Thus, leading to worse veteran patient outcomes.