



# Medicare Ground Ambulance Data Collection System: Proposed Changes in the CY 2023 Physician Fee Schedule Proposed Rule

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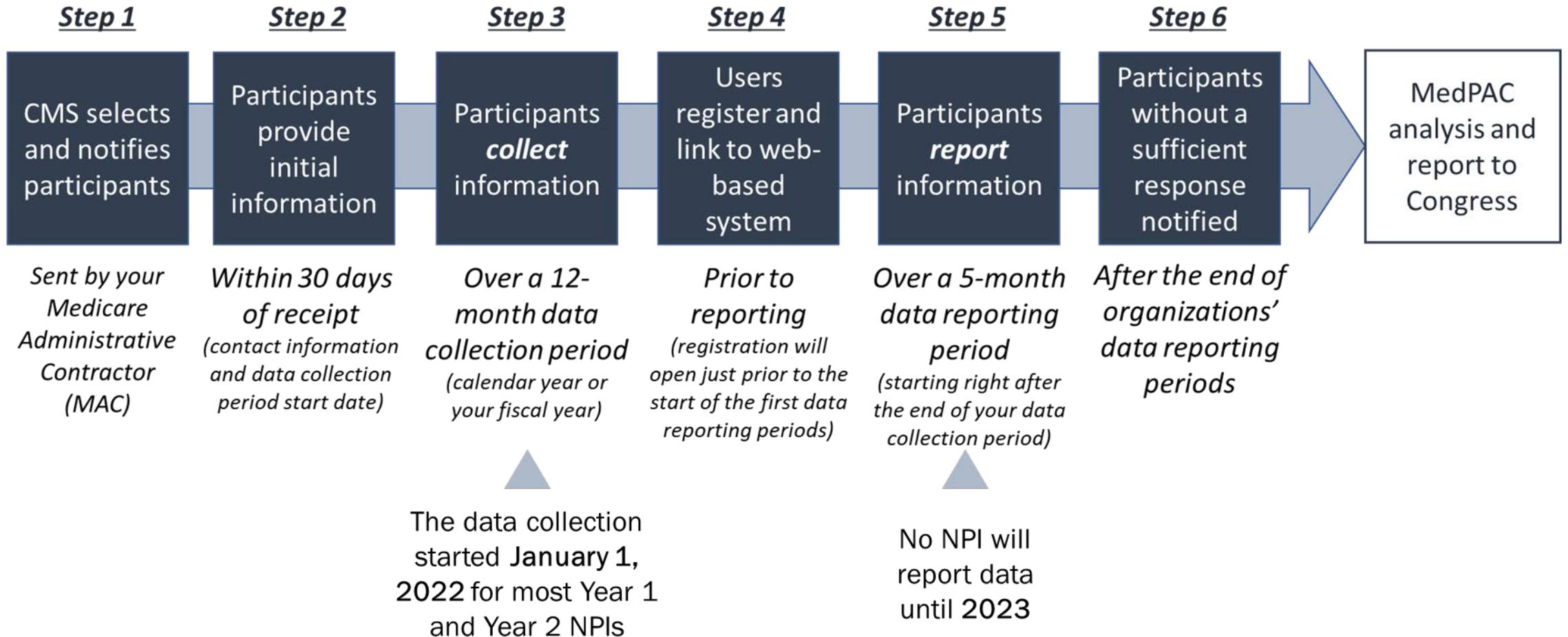
August 18, 2022

# Agenda

- Today's session is an overview of clarifications and changes proposed by CMS in the Calendar Year (CY) 2023 Physician Fee Schedule (PFS) Proposed Rule.
  - The CY 2023 PFS Proposed Rule is published in the Federal Register here (Medicare Ground Ambulance Data Collection System (GADCS) proposals are on pages 46241-46249):  
<https://www.federalregister.gov/documents/2022/07/29/2022-14562/medicare-and-medicaid-programs-cy-2023-payment-policies-under-the-physician-fee-schedule-and-other>
  - CMS' CY 2023 PFS proposed rule announcement and a copy of the printable instrument updated to reflect the proposed changes are on the CMS Ambulances Services Center website under "Spotlights" at this link:  
<https://www.cms.gov/Center/Provider-Type/Ambulances-Services-Center>
- You can find information about the Medicare Ground Ambulance Data Collection System (GADCS) on the CMS GADCS website at the link below:  
<https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/AmbulanceFeeSchedule/Ground-Ambulance-Services-Data-Collection-System>
  - The CMS GADCS website links to a printable instrument and frequently asked questions (FAQ) document.
  - These documents and prior webinars **have not been updated** to reflect the CY 2023 PFS proposals.

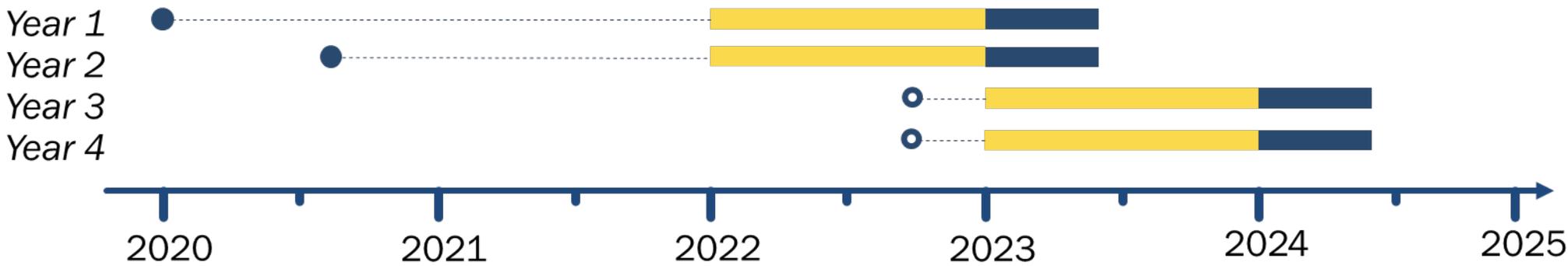
# **Brief GADCS Overview**

# What's the process for GADCS?

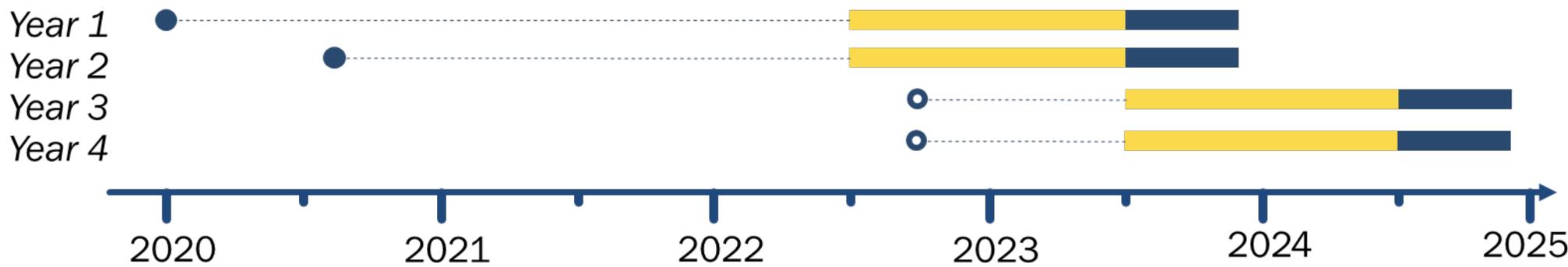


# When exactly do we have to collect and report information?

**January 1**  
data collection  
period start  
date



**July 1** data  
collection  
period start  
date



- Sample selected (list already posted)
- Sample selected (planned)
- Organizations collecting data (12 months)
- Organizations reporting data (5 months)

# What information will I need to collect and report?

## Organizational Characteristics

Section 2: Organizational Characteristics  
Section 3: Service Area  
Section 4: Emergency Response Time

## Services Provided

Section 5: Ground Ambulance Service Volume  
Section 6: Service Mix

## Information on Costs

Section 7: Labor Costs  
Section 8: Facilities Costs  
Section 9: Vehicle Costs  
Section 10: Equipment, Consumable, and Supply Costs  
Section 11: Other Costs  
Section 12: Total Costs

## Information on Revenue

Section 13: Revenues

CMS developed several resources to help organizations collect data, including:

- A “Quick Reference Guide” and a Frequently Asked Questions (FAQ) document
- Overview and detailed webinars
- A full, printable version of the questions you’ll have to answer (the “instrument”) in English and Spanish

All these resources are available on the Ambulances Services Center website:

<https://www.cms.gov/Center/Provider-Type/Ambulances-Services-Center.html>

**CY 2023 PFS Proposed Rule:  
General GADCS Changes**

# Reporting Expenses Paid for by a Local Municipality

## Previously:

- Section 1 text starting with “If your organization is part of a local government...”

## CY 2023 PFS Proposed Rule:

- “If your organization was part of a municipal government or larger entity that paid for certain ground ambulance expenses (for example, if your municipality pays for rent, benefits, fuel, or dispatch), you must report information on these expenses. This applies only in cases where you are owned or operated by or have a partnership or joint venture with the entity that covers expenses for your ground ambulance operation. In other cases, do not estimate or report the value of donated vehicles, supplies, equipment, or other resources or labor used in your ground ambulance operation. For example, if your local hospital provided drugs at no cost, but you are not a hospital-based ground ambulance organization, then do not report the expense associated with the donated drugs.”

# Allocating Shares of Expenses and Revenue Attributable to Ground Ambulance Operations

## Previously:

- The current instrument instructions allow ground ambulance organizations to use their current allocation approach or any reasonable alternative.

## CY 2023 PFS Proposed Rule:

- Add guidance throughout Sections 7 through 13 related to allocating a share of expenses and revenue attributable to ground ambulance operations versus other operations (for example, fire, police, or hospital operations).
- The additional guidance would provide an example allocation approach relevant to each section.

# New Screening Question for Contracted Services

- Add a new screening question in Section 2 that will ask whether organizations contract out some or all of their labor, facilities, vehicles, or other key inputs used to furnish ground ambulance services.
  - A “yes” response prompts additional instructions in subsequent sections.

# Clarification on “Public Safety-based Organizations”

## Previously:

- The current instrument utilized skip logic to allow only organizations reporting shared services with fire, police or other public safety operations to see certain questions in Sections 2 and 7.

## CY 2023 PFS Proposed Rule:

- Expand or remove programming notes restricting certain responses for follow-up questions for shared services.
- Instructions and items related to fire, police, or other public safety department-based ground ambulance organizations are shown to organizations that answer Section 2, Question 7= “a” or “b” AND Question 8 = Yes (1) OR answer Question 9 = Yes (1) to one or both of a and b. To streamline the skip logic, the answers to these questions are referred to as “Public Safety = Yes” for the remainder of the document.

# Specifying Ground Ambulance Responses & Transports

- CY 2023 PFS Proposed Rule Change:
  - Specify in the GADCS when questions ask for information on “ground ambulance transports” rather than just “transports” to avoid confusion.
    - *Ground ambulance transport* is defined as “the use of a fully staffed and equipped ground ambulance responding to a request for service to provide a medically necessary transport (based on the rules relevant to the applicable payer).”
  - Similar change for “ground ambulance responses”

# Other Editorial Changes and Technical Corrections

- Using the past tense to emphasize questions ask about a prior, continuous, 12-month data collection period
- Specifying that the 12-month data collection period is continuous
- Specifying that air ambulance expenses and revenue should generally be excluded, except in Section 12 (Total Costs), Question 1, and Section 13 (Revenue), Question 1
- Clarifying skip logic and response categories
- Minor editorial changes for consistency
- Correcting typos that do not affect the meaning of questions

**CY 2023 PFS Proposed Rule:  
Changes to Specific GADCS Questions**

# Clarify Pathway for Organizations that Did Not Provide Ground Ambulance Services During their Data Collection Periods

Section 2, Question 1: Is [pre-populate number] an NPI your organization used to bill Medicare for ground ambulance services during the data collection period? Yes/No

## Previously:

- Answering “no” ends the organization’s reporting requirement under GADCS without warning

## CY 2023 PFS Proposed Rule:

- If answer “no,” a pop-up window appears asking the respondent to confirm that they did not bill Medicare for ground ambulance services.

# Clarification on Other Health Care Delivery Operations

Section 2, Question 9: Does your organization provide any of the following services or operations? (select all that apply)

## Previously:

- Option d: Another health care organization (excluding hospitals, skilled nursing facilities, or other Medicare provider of services)

## CY 2023 PFS Proposed Rule:

- Option d: ***Other health care delivery operations such as a clinic or urgent care center*** (excluding hospitals, skilled nursing facilities, or other Medicare provider of services in Option c)

# Clarifications around Response Times in Primary and Secondary Service Areas

## Previously:

- Section 4, Question 1: CMS is interested in your organization's response time for ground ambulance responses to emergency calls for service **in your primary service area (the area in which you usually provide service and where the majority of your transport pickups occur)**. Here, response time is defined as the time from when the call comes into dispatch to when the ambulance or another EMS response vehicle arrives on the scene. Do you define response time in this way?

## CY 2023 PFS Proposed Rule:

- Remove bolded text “in your primary service area (the area in which you usually provide service and where the majority of your transport pickups occur)”
- Also, questions related to primary and secondary service areas should be answered only when the organization provided emergency responses in such areas

# Clarification on Emergency Response Time Penalties

Clarify Section 4 (Emergency Response Time), Question 4b

## Previously:

- Are you penalized if you exceed the response time targets? Penalties can take the form of reduced payments or a fine.

## CY 2023 PFS Proposed Rule:

- Are you penalized *monetarily* if you exceed the response time targets? Penalties can take the form of reduced payments or a fine.

# Clarification on Number of Total Responses

Clarify meaning of total responses in Section 5 (Ground Ambulance Service Volume)

## Previously:

- Total responses are defined as the total number of responses by your organization regardless of whether a ground ambulance was deployed and regardless of whether or not a patient was transported.

## CY 2023 PFS Proposed Rule:

- Total responses are defined as...Include *emergency responses* that did not involve a ground ambulance (e.g., responses only involving a pickup truck or sport-utility vehicle (SUV), including quick response vehicles (QRVs), “fly-cars,” or “sprint” vehicles).

# Clarification on Joint Responses

Clarify that estimates of the share of responses that are joint with another organization are acceptable in Section 5

## Previously:

- In what percentage of ground ambulance transports does the non-transporting agency continue to provide medical care in the ambulance during the transport?

## CY 2023 PFS Proposed Rule:

- In what percentage of ground ambulance transports *do you estimate* the non-transporting agency *continues* to provide medical care in the ambulance during the transport?

# Clarify Labor Categories

- Clarify in Chapter 7 (Labor Costs) how to report labor hours and costs for staff categories not explicitly listed in the instrument.
- Add the following instruction in Section 7: “If your State uses levels of certification and licensure that differ from these categories, use your best judgement to assign staff to the CMS categories available.”

# Clarifying Fire/Police/Public Safety Roles

Revise Section 7 (Labor Costs) labor category definitions

## Previously:

- Labor category definitions include “... with Fire/Police/Public Safety role”

## CY 2023 PFS Proposed Rule:

- Labor category definitions include “...with *role supporting fire, police, and/or other public safety operations.*”

# Clarify How and Where to Report Medical Director Expenses

Revise Section 7 (Labor Costs) labor category definitions

## Previously:

- Medical director hours and compensation can be reported in multiple questions within Section 7. Depending on prior responses, some organizations are asked why they do not employ a medical director before they can report they contract with or have a volunteer medical director.

## CY 2023 PFS Proposed Rule:

- Moves the existing question asking whether the organization contracts with a medical director (“Does your organization contract with a medical director, rather than employing them directly?”) to the start of Section 7 and adjusts programming logic.

# Use of Excel Workbooks for Facilities and Vehicles Sections

- CY 2023 PFS Proposed Rule:
  - Allow organizations to enter information by hand or via an uploaded file for the facility-level tables in Section 8.1 and for the vehicle-level tables in Section 9.1 and Section 9.2.
  - These tables require organizations to report on the characteristics and expenses related to individual facilities and vehicles.
  - Organizations can enter information directly into the programmed instrument or use the templates and can use a different method for each section. There is no requirement for any organization to use a particular method.

# Clarifications to “Other Cost” Categories

Implement edits to several Section 11 (Other Cost) categories

## Previously:

- Categories included “Overhead allocation from parent organization/central office” and “licenses”

## CY 2023 PFS Proposed Rule:

- Removed the “overhead allocation from parent organization/central office” category as there are items in each section asking for these expenses. Clarify that “licenses” includes professional or any other license fees not reported elsewhere in the instrument and excluding vehicle license fees previously reported in the Vehicles Section.

**CY 2023 PFS Proposed Rule:  
Proposed Automation Process for Hardship Exemption Requests  
and Informal Review Requests**

# Proposed Automation Process for Requests

## Hardship Exemption Request:

- In the CY 2020 PFS final rule (84 FR 62895), we codified the hardship exemption requirement at § 414.626(d). We stated that a ground ambulance organization can apply for a hardship exemption request based on a significant hardship, such as a natural disaster, bankruptcy, or other similar situation, that the Secretary determines interfered with the ability of the ground ambulance organization to submit such information in a timely manner for the data collection period selected by the ground ambulance organization.
- Specifically, § 414.626 (d)(1) states that to request a hardship exemption, the ground ambulance organization must submit a request form (accessed on the Ambulances Services Center website (<https://www.cms.gov/Center/Provider-Type/Ambulances-Services-Center.html>) to CMS within 90 calendar days of the date that CMS notified the ground ambulance organization that it would receive a 10 percent payment reduction as a result of not submitting sufficient information under the data collection system. In this citation, we list the required information.

# Proposed Automation Process for Requests (cont.)

## Informal Review Request:

- In the CY 2020 PFS final rule (84 FR 62896), we also codified the process to request an informal review process under which a sampled ground ambulance organization may seek an informal review of a determination that is subject to the 10 percent reduction in payment at § 414.626(e).
- Section 414.626(e) outlines the notification of non-compliance and informal review. First, for notification of non-compliance, a ground ambulance organization selected under § 414.626 (c) for a year that does not sufficiently report data under paragraph (b) of this section will receive written notification from CMS that it will receive a payment reduction under § 414.610(c)(9). Second, with respect to informal review, a ground ambulance organization that receives a written notification under § 414.610 (e)(1) of a payment reduction under § 414.610(c)(9) may submit a request for an informal review within 90 days of the date it received the notification by submitting all of the following information (list is provided).
- In the CY 2020 PFS final rule (84 FR 62897), we stated that the hardship exemption and informal review requests should be submitted to the Ambulance ODF mailbox (AMBULANCEODF@cms.hhs.gov).

# CY 2023 PFS Proposed Rule Change

- Pages 46248-46249
- We are proposing to update our regulations to give us the necessary flexibility to specify how ground ambulance organizations should submit these requests, including to our web-based portal once that portal is operational.
- Specifically, we are proposing to revise § 414.626(d)(1) and (e)(2) to state that these requests must be submitted in the form and manner specified by CMS.

# **GADCS Resources**

# Resources

- CY 2023 PFS Proposed Rule Resources:
  - Text (GADCS proposals are on pages 46241-46249):  
<https://www.federalregister.gov/documents/2022/07/29/2022-14562/medicare-and-medicaid-programs-cy-2023-payment-policies-under-the-physician-fee-schedule-and-other>
  - CMS' CY 2023 PFS proposed rule announcement and a copy of the printable instrument updated to reflect the proposed changes are on the CMS Ambulances Services Center website under “Spotlights” at this link:  
<https://www.cms.gov/Center/Provider-Type/Ambulances-Services-Center>
- Broader GADCS Resources:
  - Access the most up-to-date instrument, a frequently asked questions (FAQ) document, and a Quick Reference Guide from the CMS GADCS website:  
<https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/AmbulanceFeeSchedule/Ground-Ambulance-Services-Data-Collection-System>
  - Past slide presentations, webinar recordings, and supplemental documents are also on this site.
  - If you have additional questions, please contact:  
[AmbulanceDataCollection@cms.hhs.gov](mailto:AmbulanceDataCollection@cms.hhs.gov)