



Medicare Ground Ambulance Data Collection System (GADCS): CY 2023 Physician Fee Schedule Final Rule

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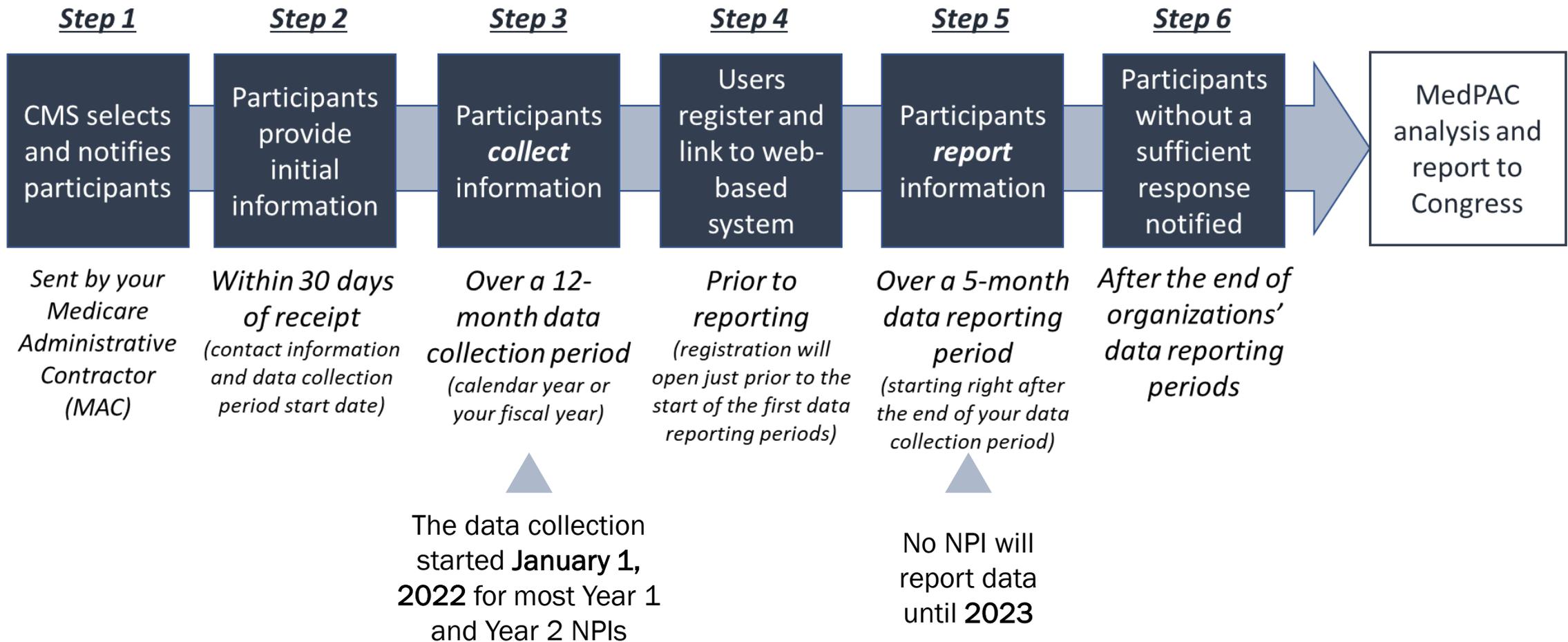
December 1, 2022

Agenda

- Today's session is a brief overview of the GADCS and an overview of changes finalized by CMS in the Calendar Year (CY) 2023 Physician Fee Schedule (PFS) Final Rule.
 - The CY 2023 PFS Final Rule can be downloaded from the Federal Register at the link below:
<https://www.federalregister.gov/public-inspection/2022-23873/medicare-and-medicaid-programs-cy-2023-payment-policies-under-the-physician-fee-schedule-and-other>.
- You can find information about the GADCS on the CMS GADCS website:
<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 set of the GADCS questions (the “GADCS instrument”, the GADCS user guide, a frequently asked questions (FAQ) document, and other resources.
 - Prior webinars have **not been updated** to reflect the CY 2023 PFS final rule changes.

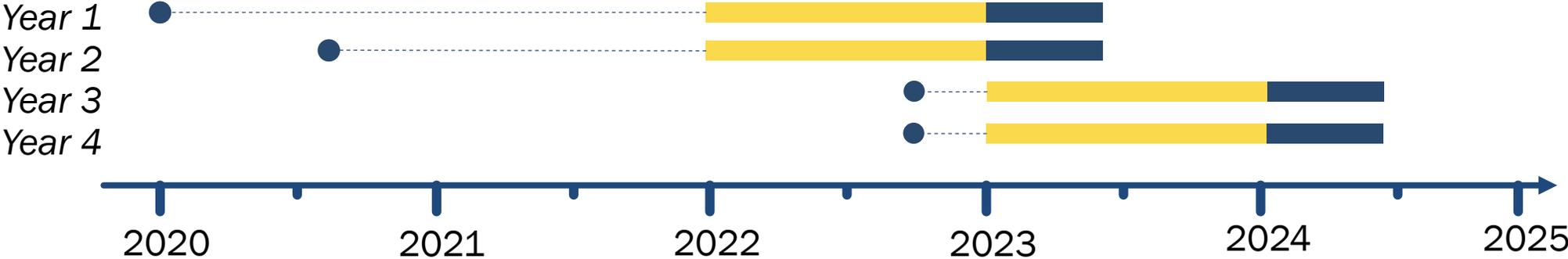
Brief GADCS Overview

What's the process for GADCS?

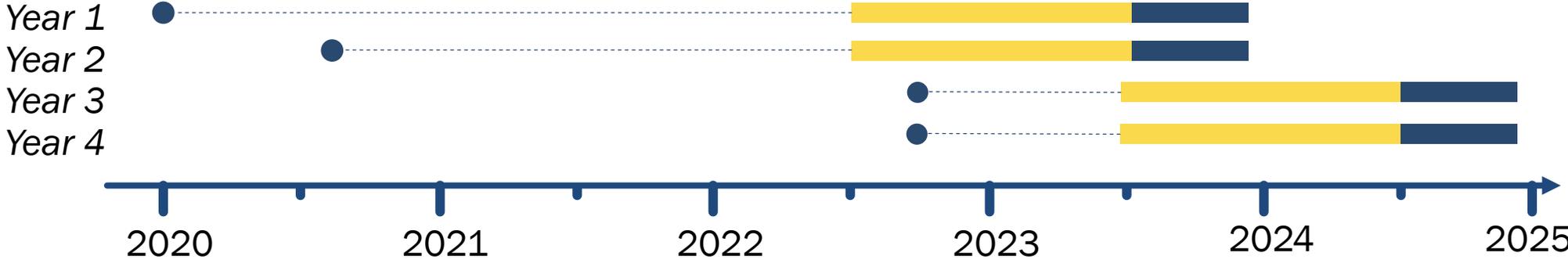


When exactly do we have to collect and report information?

Jan. 1 data collection period start date



July 1 data collection period start date



● Sample selected
■ Organizations reporting data
■ Organizations collecting data

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 GADCS User Guide
- A Frequently Asked Questions (FAQ) document
- Overview and detailed webinars
- A full, printable version of the questions you'll have to answer (the "instrument")

All these resources are available on CMS' GADCS website:

<https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/AmbulanceFeeSchedule/Ground-Ambulance-Services-Data-Collection-System>

**CY 2023 PFS Final 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 Final 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 Final 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 (specific questions will be covered later in the presentation)

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 Final 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 Final 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 Final 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 Final 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 Final 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)

New Question on Contracting Arrangements

Previously:

- Organizations reported on contracted services only in Section 11, even when EMT labor or broader ground ambulance services were contracted out

CY 2023 PFS Final Rule:

- Added Question 18 to Section 2: Did your organization contract out core ground ambulance functions, like EMS responses, EMT staffing, or provision of ambulances, during its 12-month data collection period? Yes (1), No (0)
- [If Yes (1)] Respond “Yes” to the description that best describes your organization’s contractual relationship:
 - EMT labor specifically (excluding medical direction) Yes (1), No (0)
 - Broader ground ambulance services, for example specific response capabilities in terms of ambulance units or service hours Yes (1), No (0)

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 Final 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 Final 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 Final 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

Clarifies Section 5, Question 3

Previously:

- Does your organization respond to calls with another non-transporting agency such as a local fire department that is **not** part of your organization?

CY 2023 PFS Final Rule:

- Added text: “*This includes joint responses with other ground ambulance organizations as well as cases where a fire, police, or other public safety department responds to calls for service with your organization. Only consider cases where your ground ambulance does or would have transported the patient, if necessary.*”

Allowing a Joint Response Percentage Estimate

Clarify that estimates of the share of responses that are joint responses are acceptable in Section 5, Question 3a

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 Final 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.”

Additional Labor Instructions for Organizations Contracting Out EMT Labor or Broader Ground Ambulance Services

- For organizations that indicate that they contract out “EMT labor specifically (excluding medical direction)” or “Broader ground ambulance services, for example specific response capabilities in terms of ambulance units or service hours” in Section 2, Question 18 the following additional instruction will appear in Section 7:

“Report EMT/responder hours worked by contracted EMT/responder staff but not related total compensation”

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 Final 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 Final 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.

Additional Vehicles and Facilities Instructions for Organizations Contracting Out Broader Ground Ambulance Services

- For organizations that indicate that they contract out “Broader ground ambulance services, for example specific response capabilities in terms of ambulance units or service hours” in Section 2, Question 18 the following additional instructions will appear in Sections 8 and 9, respectively:

“Report the main facilities used by contractor but not related annual expenses”

“Report primary ground ambulances used by contractor but not related annual expenses”

Use of Excel Workbooks for Facilities and Vehicles Sections

- CY 2023 PFS Final 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.

Additional Other Costs Instructions for Organizations Contracting Out EMT Labor or Broader Ground Ambulance Services

- For organizations that indicate that they contract out “EMT labor specifically (excluding medical direction)” or “Broader ground ambulance services, for example specific response capabilities in terms of ambulance units or service hours” in Section 2, Question 18 the following additional instruction will appear in Section 11:

“Report total contract expense in Section 11, Question 1”

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 Final 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 Final Rule:
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 Final Rule Change

Pages 70022-70023:

- We finalized our proposal 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 revising § 414.626(d)(1) and (e)(2) to state that these requests must be submitted in the form and manner specified by CMS.
- A copy of the Hardship Exemption Request Form is available on our website. You may submit a hardship exemption request via the GADCS portal after your organization receives notification that it will be subject to the 10 percent payment reduction as a result of not sufficiently submitting information under the GADCS.

GADCS Resources

Resources

- The CY 2023 PFS Final Rule can be downloaded from the Federal Register at the link below:
 - <https://www.federalregister.gov/public-inspection/2022-23873/medicare-and-medicaid-programs-cy-2023-payment-policies-under-the-physician-fee-schedule-and-other>.
- Access the GADCS User Guide, the most up-to-date instrument and frequently asked questions document from the CMS GADCS website:
 - <https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/AmbulanceFeeSchedule/Ground-Ambulance-Services-Data-Collection-System>
- Supplemental documents, past slide presentations, and webinar recordings are also on this site.
- If you have additional questions, please contact:
 - AmbulanceDataCollection@cms.hhs.gov