



August 18, 2023

The Honorable Denis R. McDonough  
Secretary of Veterans Affairs  
Department of Veterans Affairs  
810 Vermont Avenue, NW  
Washington, DC 20420

RE: Request for Delay and Meeting on Special Modes of Transportation Final Rule

Dear Secretary McDonough,

Our organizations respectfully request that you delay implementation of the final rule entitled “Change in Rates VA Pays for Special Modes of Transportation.” We also ask for a meeting with you and your team to discuss how the VA and our organizations can work together during the delay to help ensure continued access for veterans to vital ground ambulance services following implementation of the rule.

Under the final rule, the VA would reimburse for non-contracted ambulance services provided through its beneficiary travel program at the lesser of the actual charge or Medicare ambulance rates. The Government Accountability Office has issued two reports outlining that the Medicare program reimburses ground ambulance service organizations below the cost of providing critical 9-1-1 emergency and urgent interfacility ambulance medical and transportation services. Congress has recognized the below cost reimbursement by the Medicare program by providing partial relief through temporary Medicare ambulance add-on payments to ground ambulance service organizations and directing the Centers for Medicare and Medicaid Services (CMS) to collect ambulance revenue and cost data. Due to the COVID-19 public health emergency, the CMS delayed for two years the beginning of data collection, but the agency is now receiving batches of data from ground ambulance service organizations.

Specifically, the purpose of the delay and our discussions would be to address the following:

1. The VA has offered contracting as a solution to the below-cost reimbursement under the Medicare ambulance fee schedule. However, on the Ambulance Industry Day of July 20, VA officials announced for the first time that the Department could not contract for vital 9-1-1 emergency ambulance services. A delay would provide the VA, or if necessary, the Congress, with time to ensure the Department has the proper authority to contract for emergency ambulance services.

2. There are over 10,500 ground ambulance service organizations in the U.S. that bill for their services and they are primarily small organizations which are the sole emergency ambulance service organization for one or two communities. The VA has stated contracting will not begin at the earliest until September 1. In order to ensure contracts are in place with a network of ground ambulance service organizations, the VA will need to contract with the vast majority of organizations to ensure the Department has a network with 9-1-1 access for veterans. The delay will provide the VA with additional time to contract with ground ambulance service organizations and establish an adequate network of contracted organizations.
3. Due to the 2-year delay in ground ambulance data collection, efforts to reform the Medicare ambulance fee schedule have been delayed accordingly. The VA should not be basing reimbursement on additional VA health care programs on a flawed payment system. A delay in implementation would provide CMS, MedPAC and the Congress additional time to reform the Medicare ambulance fee schedule for those situations in which the VA is unable to contract with a ground ambulance service organization.
4. Ground ambulance service organizations face issues with getting reimbursed for claims submitted under the travel pay and other VA coverage programs. The delay would allow our organizations to meet with you and work afterward with your team to address payment for proper claims under each of the VA health care programs.

The American Ambulance Association (AAA), International Association of Fire Chiefs (IAFC) and the National Association of Emergency Medical Technicians (NAEMT) represent the providers of vital emergency 9-1-1 and urgent interfacility ground ambulance services and the paramedics, EMTs who lead and deliver the direct medical care and transport for every community across the United States. Our paramedics, emergency medical technicians and firefighters are on the front lines of providing vital medical care.

Please have a member of your staff contact Tristan North with the American Ambulance Association to schedule the meeting. Tristan can be reached by email at [tnorth@ambulance.org](mailto:tnorth@ambulance.org) or phone at 202-802-9025.

Thank you for your consideration.

Sincerely,

American Ambulance Association  
International Association of Fire Chiefs  
National Association of Emergency Medical Technicians

cc: Dr. Shereef Elnahal, Under Secretary for Health  
Ben Williams, Director, Veterans Transportation Program