

205.5603 Ambulance service assessment fund -- Appropriation and transfer of fund moneys -- Sole purposes of fund -- Effect of invalidity of KRS 205.5602.

- (1) There is established in the State Treasury the ambulance service assessment fund for the purpose of depositing assessments imposed under KRS 142.318.
- (2) The fund shall consist of the assessments and any related penalties collected by the Department of Revenue, donations made to the fund from private sources, and appropriations made by the General Assembly.
- (3) Moneys deposited into the fund are appropriated for the purpose of administering KRS 205.5602 and shall be transferred to the Department for Medicaid Services on a monthly basis for that purpose.
- (4) Moneys in the fund shall not be diverted to the general fund or any other public fund. Moneys in the fund may only be used to:
 - (a) Increase fee-for-service rates for ground ambulance services above those in effect on July 15, 2020;
 - (b) Reimburse money to a ground ambulance provider that is erroneously collected from that provider; or
 - (c) Reimburse the cabinet in the amount of two hundred thousand dollars (\$200,000) annually for the purpose of administrative expenses.
- (5) If KRS 205.5602 is rendered invalid and void:
 - (a) To the extent that federal matching funds are not reduced due to the impermissibility of the assessments, the cabinet shall disburse the moneys remaining in the fund that were derived from the assessment imposed by KRS 142.318 pursuant to subsection (4) of this section; and
 - (b) Following disbursement of moneys in the fund pursuant to paragraph (a) of this subsection, the cabinet shall refund any remaining moneys to each ground ambulance provider in proportion to the amount paid by each provider during the most recently completed quarterly payment period.
- (6) Notwithstanding KRS 45.229, moneys in the fund not expended at the close of the fiscal year shall not lapse but shall be carried forward to the next fiscal year.
- (7) Any interest earnings of the trust fund shall become part of the fund and shall not lapse.
- (8) Moneys transferred to this fund are hereby appropriated for the purposes set forth in this section.

Effective: July 15, 2020

History: Created 2020 Ky. Acts ch. 110, sec. 6, effective July 15, 2020.