
By: **Senator Hafer**

Introduced and read first time: February 3, 2006

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2006

CHAPTER _____

1 AN ACT concerning

2 ~~Health Insurance – Nonemergency Helicopter Transportation – Balance~~
3 ~~Billing Prohibited Air Ambulance Services - Study~~

4 ~~FOR the purpose of prohibiting a provider of nonemergency helicopter transportation~~
5 ~~from billing or seeking reimbursement from an insured for an amount in excess~~
6 ~~of the amount paid by a certain insurer, nonprofit health service plan, or health~~
7 ~~maintenance organization under certain circumstances; and generally relating~~
8 ~~to balance billing for nonemergency helicopter transportation under health~~
9 ~~insurance.~~

10 FOR the purpose of requiring the Maryland Health Care Commission, in conjunction
11 with the Health Services Cost Review Commission and the Maryland Institute
12 for Emergency Medical Services Systems and with the assistance of the Office of
13 the Attorney General, to conduct a certain study and submit a certain report to
14 the Governor and certain committees of the General Assembly on or before a
15 certain date; and generally relating to a study of air ambulance services.

16 ~~BY adding to~~
17 ~~Article – Health – General~~
18 ~~Section 19-706(hhh)~~
19 ~~Annotated Code of Maryland~~
20 ~~(2005 Replacement Volume and 2005 Supplement)~~

21 ~~BY adding to~~
22 ~~Article – Insurance~~
23 ~~Section 15-132~~
24 ~~Annotated Code of Maryland~~

1 ~~(2002 Replacement Volume and 2005 Supplement)~~

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That ~~the Laws of Maryland read as follows:~~

4 ~~Article—Health—General~~

5 ~~49-706.~~

6 ~~(HHH) THE PROVISIONS OF § 15-132 OF THE INSURANCE ARTICLE APPLY TO~~
7 ~~HEALTH MAINTENANCE ORGANIZATIONS.~~

8 ~~Article—Insurance~~

9 ~~45-132.~~

10 ~~(A) THIS SECTION APPLIES TO:~~

11 ~~(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE~~
12 ~~HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER~~
13 ~~HEALTH INSURANCE POLICIES THAT ARE ISSUED OR DELIVERED IN THE STATE; AND~~

14 ~~(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL,~~
15 ~~MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS~~
16 ~~THAT ARE ISSUED OR DELIVERED IN THE STATE.~~

17 ~~(B) IF AN INSURED INDIVIDUAL IS TRANSPORTED BETWEEN HOSPITALS BY~~
18 ~~HELICOPTER IN ORDER TO RECEIVE COVERED SERVICES THAT ARE NOT IN~~
19 ~~RESPONSE TO AN EMERGENCY MEDICAL CONDITION, THE HELICOPTER~~
20 ~~TRANSPORTATION PROVIDER MAY NOT BILL OR SEEK REIMBURSEMENT FROM THE~~
21 ~~INSURED FOR ANY AMOUNT IN EXCESS OF THE AMOUNT PAID BY THE ENTITY~~
22 ~~SUBJECT TO THIS SECTION FOR THE HELICOPTER TRANSPORTATION REGARDLESS~~
23 ~~OF WHETHER THE PROVIDER IS UNDER CONTRACT WITH THE ENTITY SUBJECT TO~~
24 ~~THIS SECTION~~

25 ~~(a) The Maryland Health Care Commission, in conjunction with the Health~~
26 ~~Services Cost Review Commission and the Maryland Institute for Emergency Medical~~
27 ~~Services Systems, and with the assistance of the Office of the Attorney General, shall~~
28 ~~study:~~

29 ~~(1) the financial aspects of inter-hospital patient transfer by air~~
30 ~~ambulance services operating in Maryland, including:~~

31 ~~(i) the types and costs of operations;~~

32 ~~(ii) charges for services provided, including billing practices; and~~

33 ~~(iii) reimbursement by payors;~~

1 (2) state and federal laws applicable to the operation of air ambulance
2 services in the State; and

3 (3) mechanisms available to the State to regulate financial aspects of air
4 ambulance services and to ensure cost-effective use of air ambulance services for
5 inter-hospital patient transfer.

6 (b) On or before December 1, 2006, the Maryland Health Care Commission,
7 the Health Services Cost Review Commission, and the Maryland Institute for
8 Emergency Medical Services Systems shall submit a report on the study and any
9 findings and recommendations to the Governor and, in accordance with § 2-1246 of
10 the State Government Article, to the Senate Finance Committee and the House
11 Health and Government Operations Committee.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 ~~October~~ July 1, 2006.