



General Assembly

January Session, 2019

**Committee Bill No. 327**

LCO No. 5470



\* 0 5 4 7 0 S B 0 0 3 2 7 I N S \*

Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:  
(INS)

**AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR  
MEDICALLY NECESSARY AMBULANCE SERVICES AT AN IN-  
NETWORK LEVEL AND PROHIBITING BALANCE BILLING FOR SUCH  
SERVICES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 20-7f of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective January 1, 2020*):

4 (a) For purposes of this section:

5 (1) "Request payment" includes, but is not limited to, submitting a  
6 bill for services not actually owed or submitting for such services an  
7 invoice or other communication detailing the cost of the services that is  
8 not clearly marked with the phrase "This is not a bill".

9 (2) "Health care provider" means a person licensed to provide health  
10 care services under chapters 370 to 373, inclusive, chapters 375 to 383b,  
11 inclusive, chapters 384a to [384c] 384d, inclusive, or chapter 400j.

12 (3) "Enrollee" means a person who has contracted for or who

13 participates in a health care plan for such enrollee or such enrollee's  
14 eligible dependents.

15 (4) "Coinsurance, copayment, deductible or other out-of-pocket  
16 expense" means the portion of a charge for services covered by a health  
17 care plan that, under the plan's terms, it is the obligation of the enrollee  
18 to pay.

19 (5) "Health care plan" has the same meaning as provided in  
20 subsection (a) of section 38a-477aa.

21 (6) "Health carrier" has the same meaning as provided in subsection  
22 (a) of section 38a-477aa.

23 (7) "Emergency services" has the same meaning as provided in  
24 subsection (a) of section 38a-477aa.

25 (8) "Medically necessary ambulance services" has the same meaning  
26 as that term is used in sections 38a-498 and 38a-525, as amended by  
27 this act.

28 (b) It shall be an unfair trade practice in violation of chapter 735a for  
29 any health care provider to request payment from an enrollee, other  
30 than a coinsurance, copayment, deductible or other out-of-pocket  
31 expense, for (1) health care services or a facility fee, as defined in  
32 section 19a-508c, covered under a health care plan, (2) emergency  
33 services covered under a health care plan and rendered by an out-of-  
34 network health care provider, [or] (3) a surprise bill, as defined in  
35 section 38a-477aa, or (4) medically necessary ambulance services in an  
36 amount that exceeds the amount allowed under section 38a-498 or 38a-  
37 525, as amended by this act.

38 Sec. 2. Subsection (a) of section 38a-498 of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective*  
40 *January 1, 2020*):

41 (a) Each individual health insurance policy providing coverage of

42 the type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of  
43 section 38a-469 delivered, issued for delivery, renewed, amended or  
44 continued in this state shall provide coverage for medically necessary  
45 ambulance services for persons covered by the policy at an in-network  
46 level, including, but not limited to, at an in-network level of cost-  
47 sharing. The hospital policy shall be primary if a person is covered  
48 under more than one policy. The policy shall, as a minimum  
49 requirement, cover such services whenever any person covered by the  
50 contract is transported when medically necessary by ambulance to a  
51 hospital. Such benefits shall be subject to any policy provision which  
52 applies to other services covered by such policies, except that such  
53 benefits shall be covered at an in-network level, including, but not  
54 limited to, at an in-network level of cost-sharing. Notwithstanding any  
55 other provision of this section, such policies shall not be required to  
56 provide benefits in excess of the maximum allowable rate established  
57 by the Department of Public Health in accordance with section 19a-  
58 177.

59 Sec. 3. Subsection (a) of section 38a-525 of the general statutes is  
60 repealed and the following is substituted in lieu thereof (*Effective*  
61 *January 1, 2020*):

62 (a) Each group health insurance policy providing coverage of the  
63 type specified in subdivisions (1), (2), (4), (6), (11) and (12) of section  
64 38a-469 delivered, issued for delivery, renewed, amended or continued  
65 in this state shall provide coverage for medically necessary ambulance  
66 services for persons covered by the policy at an in-network level,  
67 including, but not limited to, at an in-network level of cost-sharing.  
68 The hospital policy shall be primary if a person is covered under more  
69 than one policy. The policy shall, as a minimum requirement, cover  
70 such services whenever any person covered by the contract is  
71 transported when medically necessary by ambulance to a hospital.  
72 Such benefits shall be subject to any policy provision which applies to  
73 other services covered by such policies, except that such benefits shall  
74 be covered at an in-network level, including, but not limited to, at an

75 in-network level of cost-sharing. Notwithstanding any other provision  
76 of this section, such policies shall not be required to provide benefits in  
77 excess of the maximum allowable rate established by the Department  
78 of Public Health in accordance with section 19a-177.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2020</i>	20-7f(a) and (b)
Sec. 2	<i>January 1, 2020</i>	38a-498(a)
Sec. 3	<i>January 1, 2020</i>	38a-525(a)

**Statement of Purpose:**

To require health insurance coverage for medically necessary ambulance services at an in-network level, including, but not limited to, at an in-network level of cost sharing, and prohibit balance billing for such services.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. LOONEY, 11th Dist.

S.B. 327