

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 582

BY BUSINESS COMMITTEE

AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1848, IDAHO CODE, TO PROVIDE REIMBURSEMENT FOR EMERGENCY AIR TRANSPORT SERVICES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 18, Title 41, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 41-1848, Idaho Code, and to read as follows:

41-1848. REIMBURSEMENT FOR EMERGENCY AIR TRANSPORT SERVICES. (1) All medically necessary covered emergency air transport services provided to an individual, who is unable to obtain air transport services by a participating provider, shall be reimbursed by the carrier, insurer or managed care organization directly to the air transport service provider at a benefit level as if the covered air transport services were provided by a participating provider.

(2) A nonparticipating air transport service provider shall neither bill nor require a patient or insured to pay for medically necessary covered emergency air transport services in excess of the patient's or insured's deductible, copayment or coinsurance obligations, provided the covered emergency services are reimbursed at a benefit level as if the covered services were provided by a participating provider.

(3) The provisions of this section shall be applicable only for those carriers, insurers or managed care organizations offering plans or policies under chapter 21, 22, 39, 47, 52 or 55, title 41, Idaho Code.

(4) As used in this section:

(a) "Emergency air transport services" means those health care related services that are provided after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity including, but not limited to, severe pain, that the absence of immediate medical attention could reasonably be expected by a prudent person who possesses an average knowledge of health and medicine, to result in:

(i) Placing the patient's health in serious jeopardy;

(ii) Serious impairment to bodily functions; or

(iii) Serious dysfunction of any bodily organ or part; and

which services are comprised of transporting a patient with a medical condition as described in this paragraph to a hospital or other participating provider via helicopter, fixed wing aircraft or other such airborne device, including both the transportation, fuel and patient triage and treatment components of said services.

(b) "Hospital" means a facility in Idaho licensed under sections 39-1301 through 39-1314, Idaho Code, and defined in section 39-1301(a)(1), Idaho Code.