

By the Committee on Banking and Insurance; and Senator Hooper

597-01990-24

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1 A bill to be entitled
2 An act relating to coverage for out-of-network ground
3 ambulance emergency services; creating s. 627.42398,
4 F.S.; defining the terms "ambulance service provider"
5 and "nonparticipating ambulance service provider";
6 requiring certain health insurers to reimburse
7 nonparticipating ambulance service providers at a
8 specified rate for providing ground ambulance
9 services; providing that certain payments by the
10 insured constitute an accord and satisfaction of and a
11 release of certain claims; prohibiting certain cost-
12 sharing responsibilities paid from exceeding a certain
13 amount; providing that an ambulance service provider
14 and certain claims are subject to certain provisions;
15 amending 627.6699, F.S.; requiring a small employer to
16 comply with certain provisions; amending s. 641.31078,
17 F.S.; defining the terms "ambulance service provider"
18 and "out-of-network ambulance service provider";
19 requiring certain health maintenance contracts to
20 require a health maintenance organization to reimburse
21 out-of-network ambulance service providers at a
22 specified rate for providing covered services;
23 providing that certain payments by the subscriber
24 constitute an accord and satisfaction of and a release
25 of certain claims; prohibiting certain cost-sharing
26 responsibilities paid from exceeding a certain amount;
27 providing that an ambulance service is considered a
28 provider and certain claims are subject to certain
29 provisions; providing an effective date.

597-01990-24

2024568c1

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

Section 1. Section 627.42398, Florida Statutes, is created to read:

627.42398 Coverage for nonparticipating ambulance services.-

(1) As used in this section, the term:

(a) "Ambulance service provider" means a ground ambulance service licensed pursuant to s. 401.25.

(b) "Nonparticipating ambulance service provider" means a provider that is not a preferred provider as defined in s. 627.6471(1) or a provider that is not an exclusive provider as defined in s. 627.6472(1).

(2) A health insurer that offers an individual or group health insurance policy providing major medical coverage that includes coverage for ground ambulance services must reimburse a nonparticipating ambulance service provider for providing such covered ambulance services at a rate that is the lowest of the following:

(a) The rate set or approved, whether in contract, in ordinance, or otherwise, by a local governmental entity in the jurisdiction in which the covered ground ambulance services originated.

(b) Three hundred twenty-five percent of the current published rate for ground ambulance services as established by the federal Centers for Medicare and Medicaid Services under Title XVIII of the Social Security Act for the same services provided in the same geographic area.

597-01990-24

2024568c1

59 (c) The ambulance service provider's billed charges.

60 (3) Payment in full by the insured of his or her applicable
61 copayment, coinsurance, or deductible constitutes an accord and
62 satisfaction of, and constitutes a release of, any claim for
63 additional moneys owed by the insured to the health insurer or
64 to any person or entity in connection with the ground ambulance
65 services.

66 (4) Copayment, coinsurance, deductible, and other cost-
67 sharing responsibilities paid for a nonparticipating ambulance
68 service provider's covered services may not exceed the
69 copayment, coinsurance, deductible, and other cost-sharing
70 responsibilities for a preferred provider as defined in s.
71 627.6471(1) or a provider that is not an exclusive provider as
72 defined in s. 627.6472(1) for covered services.

73 (5) An ambulance service provider is considered a provider
74 subject to s. 627.6131, and the claims of the provider are
75 subject to s. 627.6131.

76 Section 2. Paragraph (h) is added to subsection (5) of
77 section 627.6699, Florida Statutes, to read:

78 627.6699 Employee Health Care Access Act.—

79 (5) AVAILABILITY OF COVERAGE.—

80 (h) A small employer carrier must comply with the
81 reimbursement provisions of s. 627.42398 relating to
82 nonparticipating ambulance service providers.

83 Section 3. Section 641.31078, Florida Statutes, is created
84 to read:

85 641.31078 Coverage for out-of-network ambulance services.—

86 (1) As used in this section, the term:

87 (a) "Ambulance service provider" means a ground ambulance

597-01990-24

2024568c1

88 service licensed pursuant to s. 401.25.

89 (b) "Out-of-network ambulance service provider" means a
90 provider that is not under contract with a health maintenance
91 organization.

92 (2) A health maintenance contract that offers individual or
93 group major medical coverage that includes coverage for ground
94 ambulance services must require a health maintenance
95 organization to reimburse an out-of-network ambulance service
96 provider for providing covered ambulance services at a rate that
97 is the lowest of the following:

98 (a) The rate set or approved, whether in contract, in
99 ordinance, or otherwise, by a local governmental entity in the
100 jurisdiction in which the covered services originated.

101 (b) Three hundred twenty-five percent of the current
102 published rate for ground ambulance services as established by
103 the federal Centers for Medicare and Medicaid Services under
104 Title XVIII of the Social Security Act for the same service
105 provided in the same geographic area.

106 (c) The ambulance service provider's billed charges.

107 (3) Payment in full by the subscriber of his or her
108 applicable copayment, coinsurance, or deductible constitutes an
109 accord and satisfaction of, and constitutes a release of, any
110 claim for additional moneys owed by the subscriber to the health
111 insurer or to any person or entity in connection with the ground
112 ambulance services.

113 (4) Copayment, coinsurance, deductible, and other cost-
114 sharing responsibilities paid for an out-of-network ambulance
115 service provider's covered services may not exceed the in-
116 network copayment, coinsurance, deductible, and other cost-

597-01990-24

2024568c1

117 sharing responsibilities for covered services received by the
118 subscriber.

119 (5) An ambulance service provider is considered a provider,
120 and the claims of the provider are subject to s. 641.3155.

121 Section 4. This act shall take effect January 1, 2025.