

By the Committees on Health Policy; and Banking and Insurance;
and Senator Diaz

588-03458-20

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1 A bill to be entitled
2 An act relating to coverage for air ambulance
3 services; creating ss. 627.42397 and 641.514, F.S.;
4 defining terms; requiring health insurers and health
5 maintenance organizations, respectively, to provide
6 reasonable reimbursement to air ambulance services for
7 certain covered services; providing that such
8 reimbursement may be reduced only by certain amounts;
9 providing that full payment of an applicable
10 copayment, coinsurance, or deductible constitutes an
11 accord, satisfaction, and release of certain claims;
12 providing that provisions of this act are not
13 severable; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 627.42397, Florida Statutes, is created
18 to read:

19 627.42397 Coverage for air ambulance services.-

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

21 (a) "Air ambulance service" has the same meaning as
22 provided in s. 401.23.

23 (b) "Health insurer" means an authorized insurer offering
24 health insurance as defined in s. 624.603.

25 (c) "Reasonable reimbursement" means reimbursement that
26 considers the direct cost to provide air ambulance
27 transportation service to an insured, the operation of an air
28 ambulance service by a county which operates entirely within a
29 designated area of critical state concern as determined by the

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30 Department of Economic Opportunity, and in-network reimbursement
31 established by the insurer for the specific policy. The term
32 does not include the amount of billed charges for the cost of
33 services rendered.

34 (2) A health insurance policy must require a health insurer
35 to provide reasonable reimbursement to an air ambulance service
36 for covered nonemergency and emergency services provided to an
37 insured in accordance with the coverage terms of the policy.
38 Such reasonable reimbursement may be reduced only by applicable
39 copayments, coinsurance, and deductibles. Payment in full by the
40 insured of their applicable copayment, coinsurance, or
41 deductible shall constitute an accord and satisfaction of, and
42 otherwise constitute a release of any claim for additional
43 monies owed by the insured in connection with the air ambulance
44 service to the insurer or to any person or entity to whom such
45 payment, or the right to receive such payment, is transferred or
46 assigned.

47 Section 2. Section 641.514, Florida Statutes, is created to
48 read:

49 641.514 Coverage for air ambulance services.—

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

51 (a) "Air ambulance service" has the same meaning as
52 provided in s. 401.23.

53 (b) "Reasonable reimbursement" means reimbursement that
54 considers the direct cost to provide air ambulance
55 transportation service to a subscriber, the operation of an air
56 ambulance service by a county which operates entirely within a
57 designated area of critical state concern as determined by the
58 Department of Economic Opportunity, and in-network reimbursement

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59 established by the health maintenance organization for the
60 specific health maintenance contract. The term does not include
61 the amount of billed charges for the cost of services rendered.

62 (2) A health maintenance contract must require a health
63 maintenance organization to provide reasonable reimbursement to
64 an air ambulance service for covered nonemergency and emergency
65 services provided to a subscriber in accordance with the
66 coverage terms of the policy. Such reasonable reimbursement may
67 be reduced only by applicable copayments, coinsurance, and
68 deductibles. Payment in full by the subscriber of their
69 applicable copayment, coinsurance, or deductible shall
70 constitute an accord and satisfaction of, and otherwise
71 constitute a release of any claim for additional monies owed by
72 the subscriber in connection with the air ambulance service to
73 the health maintenance organization or to any person or entity
74 to whom such payment, or the right to receive such payment, is
75 transferred or assigned.

76 Section 3. If any provision of s. 627.42397 or s. 641.514,
77 Florida Statutes, as created by this act is determined to be
78 invalid or inoperative for any reason, the remaining provisions
79 thereof shall be deemed to be void and of no effect. To this
80 end, the Legislature declares that it would not have enacted any
81 of the provisions of s. 627.42397 or s. 641.514, Florida
82 Statutes, individually, and expressly finds them not to be
83 severable.

84 Section 4. This act shall take effect upon becoming a law.