

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

595-04467-20

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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 construction; providing an  
14 effective date.

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

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

20 627.42397 Coverage for air ambulance services.-

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

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

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

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

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

35 (2) A health insurance policy must require a health insurer  
36 to provide reasonable reimbursement to an air ambulance service  
37 for covered nonemergency and emergency services provided to an  
38 insured in accordance with the coverage terms of the policy.  
39 Such reasonable reimbursement may be reduced only by applicable  
40 copayments, coinsurance, and deductibles. Payment in full by the  
41 insured of his or her applicable copayment, coinsurance, or  
42 deductible constitutes an accord and satisfaction of, and  
43 constitutes a release of, any claim for additional moneys owed  
44 by the insured to the health insurer or to any person or entity  
45 in connection with the air ambulance service.

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

48 641.514 Coverage for air ambulance services.—

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

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

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

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

61 (2) A health maintenance contract must require a health  
62 maintenance organization to provide reasonable reimbursement to  
63 an air ambulance service for covered nonemergency and emergency  
64 services provided to a subscriber in accordance with the  
65 coverage terms of the policy. Such reasonable reimbursement may  
66 be reduced only by applicable copayments, coinsurance, and  
67 deductibles. Payment in full by the subscriber of his or her  
68 applicable copayment, coinsurance, or deductible constitutes an  
69 accord and satisfaction of, and constitutes a release of, any  
70 claim for additional moneys owed by the subscriber to the health  
71 maintenance organization or to any person or entity in  
72 connection with the air ambulance service.

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

81 Section 4. Nothing in this act shall be construed to give  
82 retroactive application or to impair any contract existing  
83 before or on the effective date of this act, or to otherwise  
84 restrict the ability of an air ambulance service, as defined in  
85 s. 401.23, Florida Statutes, to contract to provide nonemergency  
86 and emergency services.

87 Section 5. This act shall take effect upon becoming a law.