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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2024	.	
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The Committee on Banking and Insurance (Hooper) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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



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11 service licensed pursuant to s. 401.25.

12 (b) "Nonparticipating ambulance service provider" means a
13 provider that is not a preferred provider as defined in s.
14 627.6471(1) or a provider that is not an exclusive provider as
15 defined in s. 627.6472(1).

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

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

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

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

32 (3) Payment in full by the insured of his or her applicable
33 copayment, coinsurance, or deductible constitutes an accord and
34 satisfaction of, and constitutes a release of, any claim for
35 additional moneys owed by the insured to the health insurer or
36 to any person or entity in connection with the ground ambulance
37 services.

38 (4) Copayment, coinsurance, deductible, and other cost-
39 sharing responsibilities paid for a nonparticipating ambulance



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40 service provider's covered services may not exceed the
41 copayment, coinsurance, deductible, and other cost-sharing
42 responsibilities for a preferred provider as defined in s.
43 627.6471(1) or a provider that is not an exclusive provider as
44 defined in s. 627.6472(1) for covered services.

45 (5) An ambulance service provider is considered a provider
46 subject to s. 627.6131, and the claims of the provider are
47 subject to s. 627.6131.

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

50 627.6699 Employee Health Care Access Act.—

51 (5) AVAILABILITY OF COVERAGE.—

52 (h) A small employer carrier must comply with the
53 reimbursement provisions of s. 627.42398 relating to
54 nonparticipating ambulance service providers.

55 Section 3. Section 641.31078, Florida Statutes, is created
56 to read:

57 641.31078 Coverage for out-of-network ambulance services.—

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

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

61 (b) "Out-of-network ambulance service provider" means a
62 provider that is not under contract with a health maintenance
63 organization.

64 (2) A health maintenance contract that offers individual or
65 group major medical coverage that includes coverage for ground
66 ambulance services must require a health maintenance
67 organization to reimburse an out-of-network ambulance service
68 provider for providing covered ambulance services at a rate that



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69 is the lowest of the following:

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

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

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

79 (3) Payment in full by the subscriber of his or her
80 applicable copayment, coinsurance, or deductible constitutes an
81 accord and satisfaction of, and constitutes a release of, any
82 claim for additional moneys owed by the subscriber to the health
83 insurer or to any person or entity in connection with the ground
84 ambulance services.

85 (4) Copayment, coinsurance, deductible, and other cost-
86 sharing responsibilities paid for an out-of-network ambulance
87 service provider's covered services may not exceed the in-
88 network copayment, coinsurance, deductible, and other cost-
89 sharing responsibilities for covered services received by the
90 subscriber.

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

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

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95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 Delete everything before the enacting clause



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98 and insert:

99 A bill to be entitled
100 An act relating to coverage for out-of-network ground
101 ambulance emergency services; creating s. 627.42398,
102 F.S.; defining the terms "ambulance service provider"
103 and "nonparticipating ambulance service provider";
104 requiring certain health insurers to reimburse
105 nonparticipating ambulance service providers at a
106 specified rate for providing ground ambulance
107 services; providing that certain payments by the
108 insured constitute an accord and satisfaction of and a
109 release of certain claims; prohibiting certain cost-
110 sharing responsibilities paid from exceeding a certain
111 amount; providing that an ambulance service provider
112 and certain claims are subject to certain provisions;
113 amending 627.6699, F.S.; requiring a small employer to
114 comply with certain provisions; amending s. 641.31078,
115 F.S.; defining the terms "ambulance service provider"
116 and "out-of-network ambulance service provider";
117 requiring certain health maintenance contracts to
118 require a health maintenance organization to reimburse
119 out-of-network ambulance service providers at a
120 specified rate for providing covered services;
121 providing that certain payments by the subscriber
122 constitute an accord and satisfaction of and a release
123 of certain claims; prohibiting certain cost-sharing
124 responsibilities paid from exceeding a certain amount;
125 providing that an ambulance service is considered a
126 provider and certain claims are subject to certain



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provisions; providing an effective date.