

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 providing definitions; requiring health insurers and
 5 health maintenance organizations, respectively, to
 6 provide reasonable reimbursement to air ambulance
 7 services for certain covered services; providing that
 8 such reimbursement may be reduced only by certain
 9 amounts; providing that payment in full of copayments,
 10 coinsurance, and deductibles by insureds and
 11 subscribers, respectively, constitutes accord and
 12 satisfaction and release of specified claims in
 13 connection with air ambulance services; providing
 14 nonseverability; providing an effective date.

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

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 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 the air ambulance
28 transportation service to the insured, the operation of an air
29 ambulance service by a county which operates entirely within a
30 designated area of critical state concern as determined by the
31 Department of Economic Opportunity, and in-network reimbursement
32 established by the health insurer for the specific policy. The
33 term does not include billed charges for the cost of services
34 rendered.

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

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

50 641.514 Coverage for air ambulance services.—

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

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

54 (b) "Health maintenance organization" has the same meaning
55 as provided in s. 641.19(12).

56 (c) "Reasonable reimbursement" means reimbursement that
57 considers the direct cost to provide the air ambulance
58 transportation service to the subscriber, the operation of an
59 air ambulance service by a county which operates entirely within
60 a designated area of critical state concern as determined by the
61 Department of Economic Opportunity, and in-network reimbursement
62 established by the health maintenance organization for the
63 specific contract. The term does not include billed charges for
64 the cost of services rendered.

65 (2) A health maintenance contract must require a health
66 maintenance organization to provide reasonable reimbursement to
67 an air ambulance service for covered nonemergency and emergency
68 services provided to a subscriber in accordance with the
69 coverage terms of the contract. Such reasonable reimbursement
70 may be reduced only by applicable copayments, coinsurance, and
71 deductibles. Payment in full of applicable copayments,
72 coinsurance, and deductibles by the subscriber shall constitute
73 an accord and satisfaction, and otherwise constitute a release,
74 of any claim for additional moneys owed by the subscriber in
75 connection with the air ambulance service to the health

76 maintenance organization or to any person or entity to whom such
77 payment, or the right to receive such payment, is transferred or
78 assigned.

79 Section 3. If any provision of section 627.42397, Florida
80 Statutes, or section 641.514, Florida Statutes, as created by
81 this act, is determined to be invalid or inoperative for any
82 reason, the remaining provisions thereof shall be deemed to be
83 void and of no effect. To this end, the Legislature declares
84 that it would not have enacted any of the provisions of section
85 627.42397, Florida Statutes, or section 641.514, Florida
86 Statutes, individually and expressly finds them not to be
87 severable.

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