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H. B. 2242

(By Delegates Longstreth, Pethtel, Ferro, Manchin, Hamilton,
Perry, Sponaugle and Summers)

[Introduced January 23, 2015; referred to the
Committee on Banking and Insurance then Finance.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section designated §33-15-22; to amend said code by adding thereto a new section, designated §33-16-18; to amend said code by adding thereto a new section, designated §33-24-15; to amend said code by adding thereto a new section, designated §33-25-15; and to amend said code by adding thereto a new section, designated §33-25A-29, all relating to requiring health insurers to reimburse ambulance service providers directly for ambulance services covered under a person's health insurance policy, plan or contract.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §33-15-22; that said code be amended by adding thereto a new section, designated §33-16-18; that said code be amended by adding thereto a new section, designated §33-24-15; that said code be amended by adding thereto a new section, designated §33-25-15; and that said code be amended by adding thereto a new section, designated §33-25A-29, all to read as follows:

1 **ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.**

2 **§33-15-22. Direct reimbursement for ambulance service providers.**

3 (a) When an ambulance service provider provides emergency medical ambulance services
4 to a person who is insured by a health insurance policy, health care services plan, or contract that
5 provides benefits for emergency medical ambulance services under this article, the health insurer
6 shall reimburse the ambulance service provider directly for the covered services provided under the
7 insured's policy, plan or contract.

8 (b) Nothing in this section may be construed to interfere with coordination of benefits or to
9 require a health insurer to provide coverage for services not otherwise covered under the insured's
10 policy, plan or contract.

11 (c) Nothing in this section precludes a health insurer from negotiating with and subsequently
12 entering into a contract with a nonparticipating ambulance service provider to establish rates of
13 reimbursement for emergency medical ambulance services.

14 **ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.**

15 **§33-16-18. Direct reimbursement for ambulance service providers.**

16 (a) When an ambulance service provider provides emergency medical ambulance services
17 to a person who is insured by a health insurance policy, health care services plan, or contract that
18 provides benefits for emergency medical ambulance services under this article, the health insurer
19 shall reimburse the ambulance service provider directly for the covered services provided under the
20 insured's policy, plan or contract.

21 (b) Nothing in this section may be construed to interfere with coordination of benefits or to
22 require a health insurer to provide coverage for services not otherwise covered under the insured's

1 policy, plan or contract.

2 (c) Nothing in this section precludes a health insurer from negotiating with and subsequently
3 entering into a contract with a nonparticipating ambulance service provider to establish rates of
4 reimbursement for emergency medical ambulance services.

5 **ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE**
6 **CORPORATIONS, DENTAL SERVICE CORPORATIONS AND**
7 **HEALTH SERVICE CORPORATIONS.**

8 **§33-24-15. Direct reimbursement for ambulance service providers.**

9 (a) When an ambulance service provider provides emergency medical ambulance services
10 to a person who is insured by a health insurance policy, health care services plan, or contract that
11 provides benefits for emergency medical ambulance services under this article, the health insurer
12 shall reimburse the ambulance service provider directly for the covered services provided under the
13 insured's policy, plan or contract.

14 (b) Nothing in this section may be construed to interfere with coordination of benefits or to
15 require a health insurer to provide coverage for services not otherwise covered under the insured's
16 policy, plan or contract.

17 (c) Nothing in this section precludes a health insurer from negotiating with and subsequently
18 entering into a contract with a nonparticipating ambulance service provider to establish rates of
19 reimbursement for emergency medical ambulance services.

20 **ARTICLE 25. HEALTH CARE CORPORATIONS.**

21 **§33-25-15. Direct reimbursement for ambulance service providers.**

22 (a) When an ambulance service provider provides emergency medical ambulance services

1 to a person who is insured by a health insurance policy, health care services plan, or contract that
2 provides benefits for emergency medical ambulance services under this article, the health insurer
3 shall reimburse the ambulance service provider directly for the covered services provided under the
4 insured's policy, plan or contract.

5 (b) Nothing in this section may be construed to interfere with coordination of benefits or to
6 require a health insurer to provide coverage for services not otherwise covered under the insured's
7 policy, plan or contract.

8 (c) Nothing in this section precludes a health insurer from negotiating with and subsequently
9 entering into a contract with a nonparticipating ambulance service provider to establish rates of
10 reimbursement for emergency medical ambulance services.

11 **ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.**

12 **§33-25A-29. Direct reimbursement for ambulance service providers.**

13 (a) When an ambulance service provider provides emergency medical ambulance services
14 to a person who is insured by a health insurance policy, health care services plan, or contract that
15 provides benefits for emergency medical ambulance services under this article, the health insurer
16 shall reimburse the ambulance service provider directly for the covered services provided under the
17 insured's policy, plan or contract.

18 (b) Nothing in this section may be construed to interfere with coordination of benefits or to
19 require a health insurer to provide coverage for services not otherwise covered under the insured's
20 policy, plan or contract.

21 (c) Nothing in this section precludes a health insurer from negotiating with and subsequently
22 entering into a contract with a nonparticipating ambulance service provider to establish rates of

1 reimbursement for emergency medical ambulance services.

NOTE: The purpose of this bill is to require health insurers to reimburse ambulance service providers directly for ambulance services covered under a person's health insurance policy, plan or contract.

§33-15-22, §33-16-18, §33-24-15, §33-25-15 and §33-25A-29 are new; therefore, they have been completely underscored.