

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

ENROLLED

House Bill 4315

FISCAL
NOTE

BY MR. SPEAKER, (MR. ARMSTEAD) AND DELEGATE

MILEY

BY REQUEST OF THE EXECUTIVE

[Passed March 12, 2016; in effect ninety days from
passage.]

1 An ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §5-16-8a, relating to collection of air-ambulance fees for emergency treatment
3 or air transportation rendered to persons covered by Public Employee Insurance Agency
4 plans; allowing providers of air ambulance services not under contract with the Public
5 Employees Insurance Agency to collect an amount up to the equivalent paid for federal
6 reimbursement for services rendered to covered employees or dependents; and requiring
7 providers of air ambulance services that enter into a subscription service agreement with
8 employees or dependents covered by Public Employee Insurance Agency plans to accept
9 the subscription fee as payment in full for services rendered.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
2 section, designated §5-16-8a, to read as follows:

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-8a. Air-ambulance fees.

1 (a) Notwithstanding any provision of this code to the contrary, any air-ambulance provider
2 which does not have a contract with the plan, that provides air transportation or related emergency
3 or treatment services to an employee or dependent of an employee covered by the plan, may not
4 collect from the plan and the covered employee or dependent of the employee, a combined
5 amount for those services which exceeds the reimbursement amount then in effect for the federal
6 Medicare program, including any applicable Geographic Practice Cost Index.

7 (b) If an air-ambulance provider has entered into a subscription service agreement with
8 an employee or dependent of an employee covered by the plan, and the employee or dependent
9 is in good standing with the agreement, the air-ambulance provider shall accept the fee or cost of
10 the subscription service agreement as payment in full for any air-ambulance transport and related
11 emergency treatment or services which the air-ambulance provider may provide to that employee

12 or dependent of an employee.