

AIR AMBULANCE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: _____

LONG TITLE

General Description:

This bill amends the Utah Health Code to report air ambulance charges in the state and to provide consumer transparency regarding air ambulance charges.

Highlighted Provisions:

This bill:

- ▶ authorizes the State Emergency Medical Services Committee to coordinate with the Health Data Committee to report air ambulance charges in the state;
- ▶ specifies the data that should be reported;
- ▶ requires the publication of certain data regarding air ambulance charges; and
- ▶ amends the duties of the Health Data Committee to assist the State Emergency Medical Services Committee with the reporting of the air ambulance charge data.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-8a-203, as last amended by Laws of Utah 2011, Chapter 297

26-33a-106.1, as last amended by Laws of Utah 2014, Chapters 118, 425 and last amended by Coordination Clause, Laws of Utah 2014, Chapter 425



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-8a-203** is amended to read:

26-8a-203. Data collection.

(1) The committee shall specify the information that shall be collected for the emergency medical services data system established pursuant to Subsection (2).

(2) (a) The department shall establish an emergency medical services data system which shall provide for the collection of information, as defined by the committee, relating to the treatment and care of patients who use or have used the emergency medical services system.

(b) Beginning July 1, 2017, the committee shall coordinate with the Health Data Authority created in Chapter 33a, Utah Health Data Authority Act, to create a report of data collected by the Health Data Committee under Section 26-33a-106.1 regarding:

(i) the total number of air ambulance flight charges in the state for a one-year period;
and

(ii) of the total number of flights in a one-year period under Subsection (2)(b)(i):

(A) the number of flights for which a patient had no personal responsibility for paying part of the flight charges;

(B) the number of flights for which a patient had personal responsibility to pay part of the flight charges;

(C) the range of flight charges for which patients had personal responsibility under Subsection (2)(b)(ii)(B), including the median amount for patient personal responsibility; and

(D) the name of any air ambulance provider that billed a patient in excess of the median amount for patient personal responsibility during the reporting year.

(3) (a) The department shall, beginning October 1, 2017, and on or before each October 1 thereafter, make the information in Subsection (2)(b) public and send the information in Subsection (2)(b) to:

(i) the Health and Human Services Interim Committee; and

(ii) public safety dispatchers and first responders in the state.

(b) Before making the information in Subsection (2)(b) public, the committee shall provide the air ambulance providers named in the report with the opportunity to respond to the

59 report under Section 26-33a-107.

60 [~~3~~] (4) Persons providing emergency medical services:

61 (a) shall provide information to the department for the emergency medical services
62 data system established pursuant to Subsection (2)(a);

63 (b) are not required to provide information to the department under Subsection (2)(b);

64 and

65 (c) may provide information to the department under Subsection (2)(b) or (3)(b).

66 Section 2. Section **26-33a-106.1** is amended to read:

67 **26-33a-106.1. Health care cost and reimbursement data.**

68 (1) The committee shall, as funding is available:

69 (a) establish a plan for collecting data from data suppliers, as defined in Section
70 26-33a-102, to determine measurements of cost and reimbursements for risk-adjusted episodes
71 of health care;

72 (b) share data regarding insurance claims and an individual's and small employer
73 group's health risk factor and characteristics of insurance arrangements that affect claims and
74 usage with the Insurance Department, only to the extent necessary for:

75 (i) risk adjusting; and

76 (ii) the review and analysis of health insurers' premiums and rate filings; and

77 (c) assist the Legislature and the public with awareness of, and the promotion of,
78 transparency in the health care market by reporting on:

79 (i) geographic variances in medical care and costs as demonstrated by data available to
80 the committee; and

81 (ii) rate and price increases by health care providers:

82 (A) that exceed the Consumer Price Index - Medical as provided by the United States
83 Bureau of Labor Statistics;

84 (B) as calculated yearly from June to June; and

85 (C) as demonstrated by data available to the committee; [~~and~~]

86 (d) provide on at least a monthly basis, enrollment data collected by the committee to a
87 not-for-profit, broad-based coalition of state health care insurers and health care providers that
88 are involved in the standardized electronic exchange of health data as described in Section
89 31A-22-614.5, to the extent necessary:

90 (i) for the department or the Medicaid Office of the Inspector General to determine
91 insurance enrollment of an individual for the purpose of determining Medicaid third party
92 liability;

93 (ii) for an insurer that is a data supplier, to determine insurance enrollment of an
94 individual for the purpose of coordination of health care benefits; and

95 (iii) for a health care provider, to determine insurance enrollment for a patient for the
96 purpose of claims submission by the health care provider[-]; and

97 (e) coordinate with the State Emergency Medical Services Committee to publish data
98 regarding air ambulance charges under Section 26-8a-203.

99 (2) (a) The Medicaid Office of Inspector General shall annually report to the
100 Legislature's Health and Human Services Interim Committee regarding how the office used the
101 data obtained under Subsection (1)(d)(i) and the results of obtaining the data.

102 (b) A data supplier shall not be liable for a breach of or unlawful disclosure of the data
103 obtained by an entity described in Subsection (1)(b).

104 (3) The plan adopted under Subsection (1) shall include:

105 (a) the type of data that will be collected;

106 (b) how the data will be evaluated;

107 (c) how the data will be used;

108 (d) the extent to which, and how the data will be protected; and

109 (e) who will have access to the data.