

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2872 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Kevin Wallace _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2872

By: Wallace

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to ambulances; creating the Out-of-
10 Network Ambulance Provider Act; defining terms;
11 setting minimum allowable rates; requiring certain
12 payment to be payments in full; restricting billing
13 to certain persons; setting certain limits on certain
14 payments; requiring certain payments to certain
15 entities; requiring certain timelines for certain
16 payments; providing for certain processes for
17 specific purposes; providing for codification; and
18 providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 6050.1 of Title 36, unless there
22 is created a duplication in numbering, reads as follows:

23 This act shall be known and may be cited as the "Out-of-Network
24 Ambulance Provider Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 6050.2 of Title 36, unless there
is created a duplication in numbering, reads as follows:

1 As used in the Out-of-Network Ambulance Provider Act:

2 1. "Ambulance service provider" means any ground ambulance
3 service provider as defined by this act as any ground vehicle which
4 is or should be approved by the Commissioner of Health, designed and
5 equipped to transport a patient or patients on-scene and en route
6 patient stabilization and care as required. Ground vehicles used as
7 ambulances shall meet such standards as may be required by the
8 Oklahoma State Board of Health for approval, and shall display
9 evidence of such approval at all times;

10 2. "Covered services" means those ground ambulance services
11 which an enrollee is entitled to receive under the terms of a health
12 care benefit plan;

13 3. "Enrollee" means a person who is entitled to receive covered
14 health care services under the terms of a health care benefit plan;

15 4. "Health care benefit plan" means a plan, policy, contract,
16 certificate, agreement, or other evidence of coverage for health
17 care services offered, issued, renewed, or extended in this state by
18 a health care insurer;

19 5. "Health care insurer" means an entity that is subject to
20 state insurance regulation and provides coverage for health benefits
21 in this state and includes the following:

- 22 a. an insurance company,
- 23 b. health maintenance organization,
- 24 c. hospital and medical service corporation,

1 d. risk-based provider organization, or

2 e. sponsor or self-funded plan;

3 6. "Out-of-network" means a provider that does not contract
4 with the health care insurer of the enrollee receiving the covered
5 benefits; and

6 7. "Clean claim" means a claim that has no defect of
7 impropriety, including any lack of required substantiating
8 documentation or particular circumstances requiring special
9 treatment that prevents timely payment from being made on the claim.

10 SECTION 3. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 6050.3 of Title 36, unless there
12 is created a duplication in numbering, reads as follows:

13 A. The minimum allowable reimbursement rate under any health
14 care benefit plan issued by a health care insurer to an out-of-
15 network ambulance service provider for providing ground services
16 shall be at the rates set or approved, whether in contract or
17 ordinance, by a local governmental entity in the jurisdiction in
18 which the covered health care services originates.

19 B. In the absence of the rates as provided in subsection A of
20 this section, the rate shall be the lesser of:

21 1. Three hundred twenty-five percent (325%) of the current
22 published rate for ambulance services as established by the Centers
23 for Medicare and Medicaid Services under Title XVIII of the Social
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1 Security Act for the same services provided in the same geographic
2 area; or

3 2. The ambulance service provider's billed charges.

4 C. Payment made in compliance with this section shall be
5 considered payment in full for the covered services provided, except
6 for any copayment, coinsurance, deductible, and other cost-sharing
7 feature amounts required to be paid by the enrollee. An ambulance
8 service provider is prohibited from billing the enrollee for any
9 additional amounts for the paid covered services in excess of what
10 the health care insurer pays.

11 D. All copayments, coinsurance, deductible, and other cost-
12 sharing feature amounts provided by subsection A of this section
13 shall not exceed the in-network copayment, coinsurance, deductible,
14 and other cost-sharing features for the covered health care services
15 received by the enrollee.

16 E. A health care insurer shall, within thirty (30) days after
17 of a clean claim for covered services, promptly remit payment for
18 ambulance services directly to the ambulance service provider and
19 shall not send payment to an enrollee.

20 F. If the claim is not a clean claim, the health care insurer
21 shall, within thirty (30) days after receipt of the claim, send a
22 written notice acknowledging the date of the receipt of the claim
23 and shall provide one of the following items:

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1 1. That the insurer is declining to pay all or part of the
2 claim and the specific reason or reasons for the denial; or

3 2. That additional information is necessary to determine if all
4 or part of the claim is payable as well as the specific additional
5 information that is required.

6 SECTION 4. This act shall become effective November 1, 2024.

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8 59-2-10275 MKS 02/21/24

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