

Commonwealth of Kentucky

House of Representatives

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90th Legislative District

February 8, 2021

The Honorable Pamela Hunter, Chair
National Council of Insurance Legislators
Health Insurance & Long-Term Care Issues Committee
2317 Route 34 South, Suite 2B
Manasquan, New Jersey 08736

Dear Ms. Hunter:

On December 10, 2020, the Health and Long-Term Care Committee heard testimony on the NCOIL Model Act Regarding Air Ambulance Patient Protections. Folks from my area of Kentucky depend on reliable, safe emergency air transport from rural areas to top level health care facilities in an emergency situation, so this issue is especially important to my constituents and me. I listened and learned at the December meeting about the Model Act. I know folks from my district who have purchased memberships, and I have not heard any complaints from constituents.

We heard that memberships are being sold using fear tactics to scare consumers into thinking they will be stuck with a big bill for transport by an air ambulance and, therefore, must buy a membership to avoid imminent peril from the same company that is transporting them. Since introduction of the Model and the hearing on December 10, federal surprise medical billing legislation was signed into law on December 27, 2020. Utilizing an Independent Dispute Resolution process, this legislation protects consumers from balance billing in connection with out-of-network medical services, including air ambulance services, which would seem to remove the need for the Model.

Given the current range of positions of the states and the recent enactment of the surprise billing act, I believe the best course of action would be to use the spring meeting to educate our members about the implications of the surprise billing act and how it relates to air ambulance services.

I look forward to further conversation on this issue, and others, at our next committee meeting in April.

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Lewis".

Derek Lewis
State Representative, 90th District

DL/cp
cc: Mr. Thomas B. Considine
Mr. Matt Lehman