

Dear NCOIL Executive committee,

As you consider adoption of the NCOIL Model Act regarding Air Ambulance Patient Protections please accept into the record the following position from GMR:

As GMR has shared many times, the Model Act Regarding Air Ambulance Patient Protections is fatally flawed. I cannot say it better than Judge Johnston that “ . . . *simply saying the sky is green does not make the sky green and simply calling something insurance does not make it insurance. The Court remains unconvinced that Air Evac’s business model and Membership Program can be legislatively deemed insurance to provide a pathway for the OIC to regulate certain air ambulance providers and evade express preemption under the ADA.*”

Please accept our gratitude for the diligence on this very important issue protecting consumers. We at GMR continue to believe appropriate and legal paths to consumer protections remains the solution.

**Robert Byrd**

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