

Air Medical Memberships & Consumer Protections

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Air Ambulance Memberships & Medicare

August 8, 2019

NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS 2018 MEDICARE SUPPLEMENT INSURANCE EXPERIENCE REPORTS

U.S. and U.S. Territories

TOTAL POLICIES (INDIVIDUAL AND GROUP)

Rank by Covered Lives	Company Name	State of Dominion	Direct Premiums Earned	Market Share by Covered Lives %	Direct Claims Incurred	Loss Incurred to Premiums Earned %	Number of Lives Covered
1.	UnitedHealthcare Ins. Co.	CT	\$ 9,856,404,778	31.44	\$ 7,880,237,717	80	4,146,328
2. 2.	AirMedCare Network	MO?	TBD	9.1% (?)	Need more info	???	1,225,000
2. 3.	Health Care Serv. Corp. A Mut Legal Re	IL	\$ 1,606,625,082	5.125	\$ 1,281,001,341	79.7	637,817
3. 4.	Omaha Ins. Co.	NE	\$ 653,798,506	2.086	\$ 548,711,626	83.9	412,257
4. 5.	United Hlthcare Ins. Co. of NY	NY	\$ 1,131,570,321	3.61	\$ 894,580,932	79.1	395,327
5. 6.	Mutual of Omaha Ins. Co.	NE	\$ 790,774,307	2.522	\$ 631,875,486	79.9	348,854
6. 7.	United of Omaha Life Ins. Co.	NE	\$ 943,150,225	3.009	\$ 684,265,429	72.6	334,781
7. 8.	United World Life Ins. Co.	NE	\$ 434,609,185	1.386	\$ 318,398,338	73.3	260,451
8. 9.	Cigna Hlth & Life Ins. Co.	CT	\$ 310,072,136	0.989	\$ 276,513,607	89.2	232,041
9. 10.	BCBS of MA	MA	\$ 516,132,796	1.646	\$ 478,981,981	92.8	226,855
10. 11.	Continental Life Ins. Co. Brentwood	TN	\$ 460,693,152	1.47	\$ 368,770,055	80	223,847
11. 12.	Colonial Penn Life Ins. Co.	PA	\$ 475,877,566	1.518	\$ 348,718,909	73.3	221,914
12. 13.	Aetna Hlth & Life Ins. Co.	CT	\$ 363,075,418	1.158	\$ 300,892,704	82.9	219,963
13. 14.	American Retirement Life Ins. Co.	OH	\$ 400,914,963	1.279	\$ 339,976,932	84.8	211,667
14. 15.	Humana Ins. Co.	WI	\$ 426,178,821	1.359	\$ 327,726,824	76.9	201,493

Adapted from data supplied by the National Association of Insurance Commissioners, 2018 Medicare Supplement Loss Ratios. 08 Aug 2019. https://naic.org/prod_serv/MED-BB-19.pdf.
AirMedCare Network Medicare covered lives data procured from Commissioner Eleanor Kitzman letter to NCOIL Health and Long-Term Care Issues Committee, 06 Feb 2021; and <https://www.airmedcarenetwork.com/about-overview>.

Are Air Medical Memberships Insurance?

Prepayment

Membership Provider



WAIVES
COST OF THE
TRANSPORT



PAYS
PREMIUM



Policyholder

3rd Party Indemnification

Membership Provider



WAIVES
COPAY OR
COST-
SHARING
AMOUNT



PAYS
PREMIUM



Policyholder

PAYS CLAIM &
SETS COPAY OR
COST-SHARING
AMOUNT



Health Insurer



PAYS
PREMIUM



Guardian Flight v. Godfread

8th Circuit Court of Appeals (2021)



Q.

Does the Airline Deregulation Act of 1978 preempt all state action to regulate air ambulance memberships,

simply because some sellers of these supplemental insurance products are air carriers?

A.

“...because the ADA does not specifically relate to the business of insurance, we must determine whether North Dakota’s payment and subscription provisions were enacted ‘for the purpose of regulating the business of insurance.’ If they were, the McCarran-Ferguson Act saves them from federal preemption.”

- Guardian Flight v. Godfread (2021) p. 7