

# Ground Ambulance Balance Billing Protections: Action on the State and Federal Levels

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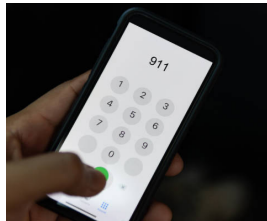
Georgetown University

Thank you to CHIR's sponsors Arnold Ventures and the Commonwealth Fund  
for support on this project

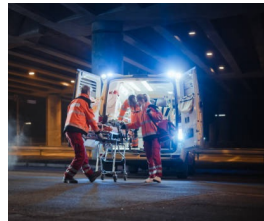
# Status of the No Surprises Act (NSA)

- Effective date of the law: January 2022
- Georgetown/Urban qualitative study
  - Consumers are being protected
  - Insurers, providers took steps to comply
  - Too early to consider broader impacts
- Gap for ground ambulance services

# Why is it Important to Fill the Ground Ambulance Billing Protection Gap?



Often no choice in provider



No time to check if provider is in network



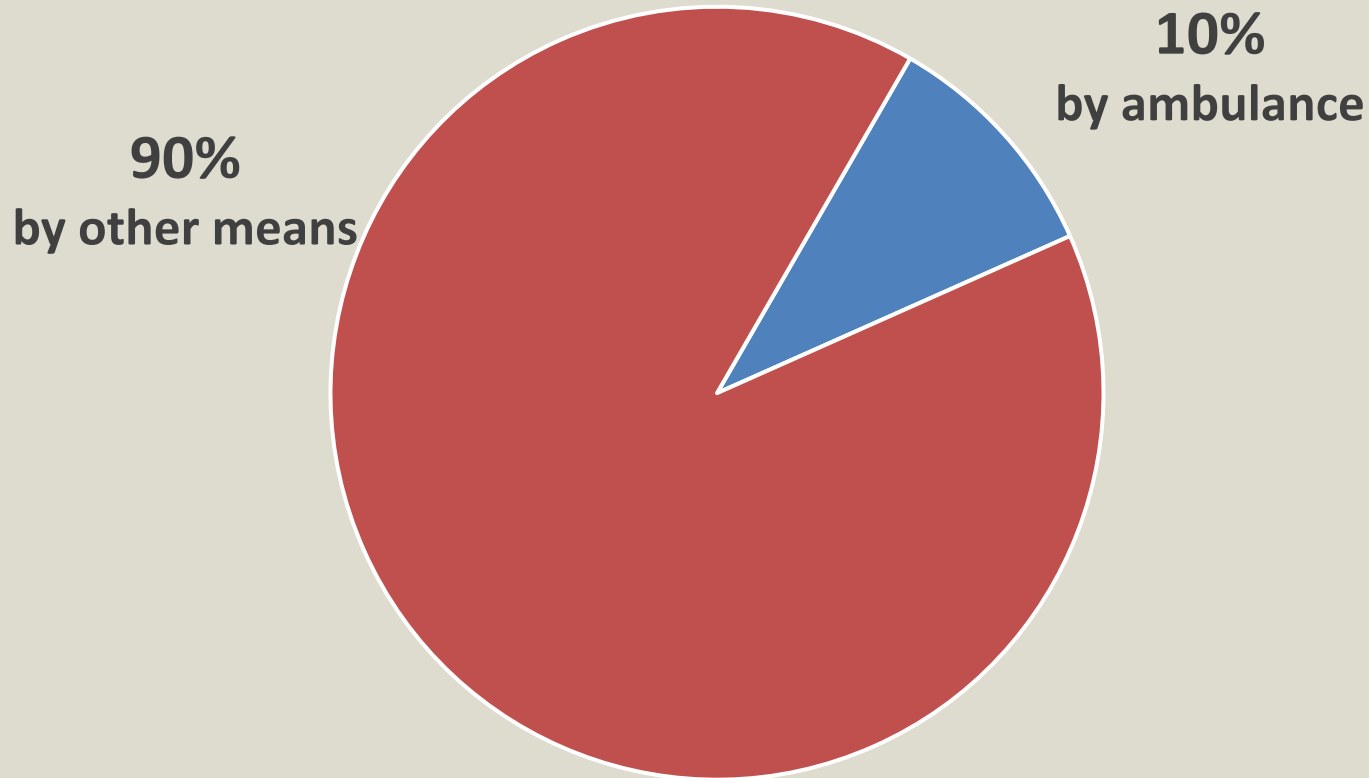
Many providers lack capacity to negotiate with insurers

# Ground Ambulance Services

- Levels of Services
  - Basic, intermediate and advanced support
- Types of Services
  - Dispatch
  - Assess
  - “Treat and no transport”
  - Transport to emergency department
  - Transport to alternative sites

SOURCE: Washington Office of the Insurance Commissioner, Ground ambulance balance billing study, Legislative study report, October 2023.

# Arriving in the ER



SOURCE: Krutika Amin et al, Ground ambulance rides and potential for surprise billing, Peterson-KFF Health System Tracker, June 2021.

# Patient Affordability Issue

**1/3** Of insured patients can't afford a surprise medical bill of  $\geq$  **\$1000**

Almost **HALF** Of insured patients can't pay for an emergency expense  $>$  **\$400** without borrowing \$ or selling assets



People are less likely to call an ambulance  
due to cost concerns

SOURCES: Chao Long MD, et. al, Understanding Surprise Out-of-Network Billing in Hand and Upper Extremity Care. The Journal Of Hand Surgery, March 2021; Bryn Healy. One-quarter of Americans didn't call an ambulance during a medical emergency for fear of cost. YouGov, June 2024.

# What Do Insurers Cover?

## In Washington State

Type of Service	Coverage by Commercial Payors
Emergency transport	Yes
Interfacility transport	Only if covered, often not in full
Inpatient	Only if covered, often not in full
Treat, no transport	Conditional, generally no
Specialty care transport	Yes
Alternate destination transport	Conditional, generally no

SOURCE: Washington Office of the Insurance Commissioner, Ground ambulance balance billing study, Legislative study report, October 2023.

# Majority of Ambulances Are Publicly-Owned

## Emergency Transports



## Public sector

## Non-Emergency Transports



- Private Equity or Publicly Traded
- Facility
- Nonprofit
- Independent



# Very likely to have an 'out of network' ambulance ride

	Emergency Transports	Non-Emergency Transports
Services Delivered Out of Network	85%	57%
Potential Surprise Out of Network Bill	28%	26%

# Patients can't afford these bills

	Private-Sector Ownership	Public-Sector Ownership
<b>Billed Charges</b>	<b>\$1413</b>	<b>\$1024</b>
<b>Allowed Amounts</b>	<b>\$1027</b>	<b>\$761</b>
<b>Medicare Payment</b>	<b>\$494</b>	<b>\$494</b>
<b>Potential Surprise Bill</b>	<b>\$734</b>	<b>\$483</b>
<b>Cost Sharing</b>	<b>\$260</b>	<b>\$207</b>
<b>Total Potential OOP</b>	<b>=\$994</b>	<b>=\$690</b>

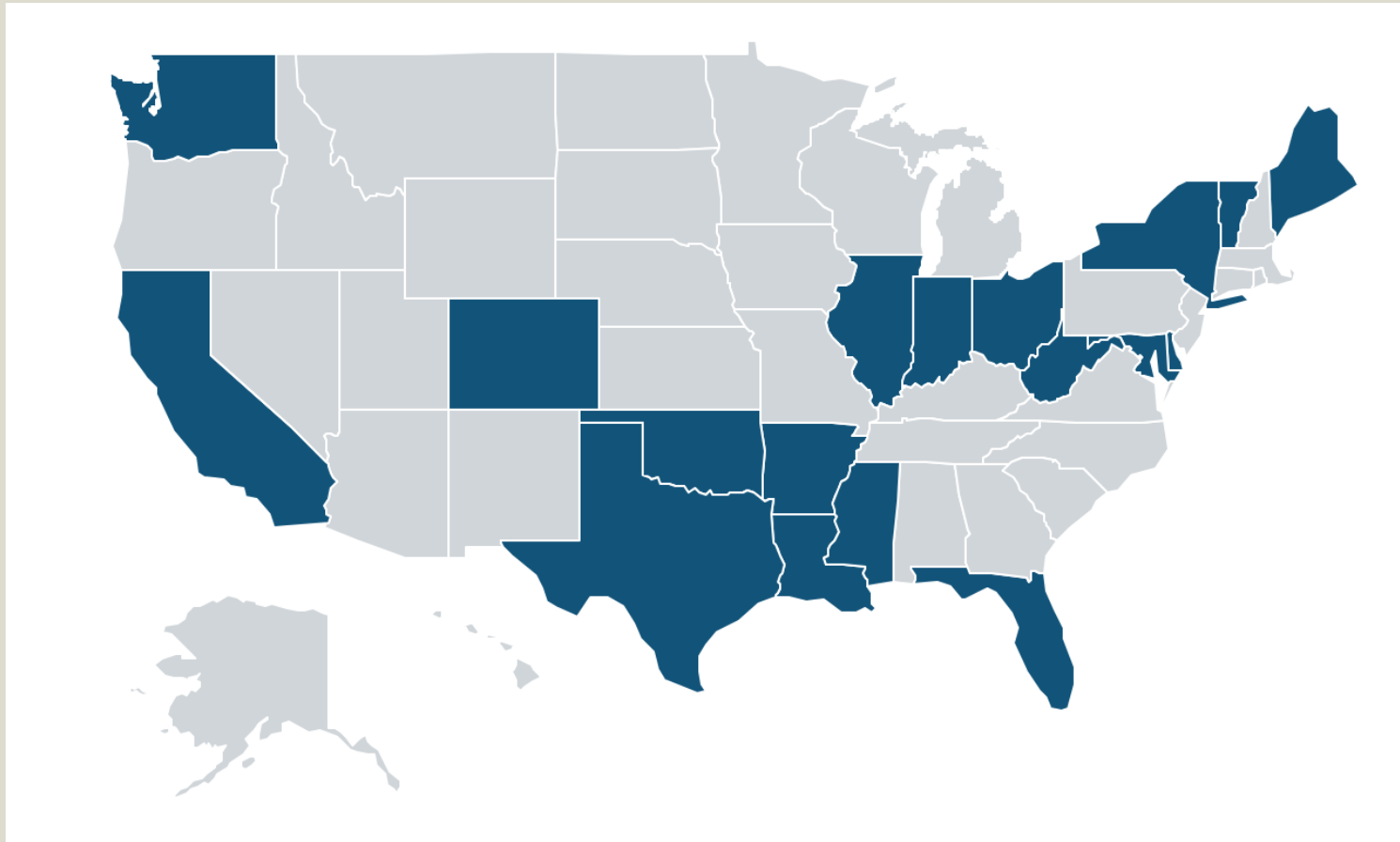
SOURCE: Loren Adler et al, Ground Ambulance Billing And Prices Differ By Ownership Structure, Health Affairs, January 2023. Data from 2017.

# What are states doing to tackle this problem?

Problem: Ground ambulances are not covered by the NSA --

but it is likely for these rides to be OON and unaffordable for consumers

# 18 States Protect Patients from Surprise Ambulance Bills



# Main Factors to Consider: Consumer Protection and Rate Reimbursement

## How States Hold Consumers Harmless for Surprise Bills

### Emergency only (7/18 states):

Arkansas, California, Louisiana,  
Ohio, Texas, Vermont  
West Virginia

### Provider specific (2/18):

Colorado (Private only)  
Maryland (Public only)

### States that provide coverage for emergency and non-emergency cases AND public and private providers (10/18):

Delaware	Mississippi
Florida	New York
Illinois	Ohio
Indiana	Oklahoma
Maine	Washington

## States Offer Rate Reimbursement Guidance (12/18)

Arkansas  
California  
Colorado  
Florida  
Indiana  
Louisiana  
Maine  
Mississippi  
Ohio  
Oklahoma  
Texas  
Washington

# State Examples on Rate Reimbursement Guidance

- New York: Usual and customary rate, but not excessive or unreasonable
- Colorado: (a) 325% of Medicare or (b) negotiated independent rate
- Texas: Based on (a) rate set by a local subdivision or (b) lesser of 325% of Medicare or provider's billed charge

# Factors to Consider

- Applicability to:
  - Public/private services or both
  - Interfacility transfers
  - Circumstances where patient refuses medical attention or is treated but not transported
  - Negotiation/arbitration process

# Status of Federal Protections

- Federal Advisory Committee on Ground Ambulance and Patient Billing (GAPB) created in the NSA
- Report recommendations to Congress soon
- Congress will then have to vote on them
- Would cover 65% of workers



# GAPB Recommendations (I)

- Settings: ground ambulance transports
  - Responses to 911 calls
  - Interfacility transports
- Providers defined: entities authorized and licensed to respond to request for ground ambulance services
- Include no transport cases

# GAPB Recommendations (II)

- Consumer protections
  - Limit on cost sharing = lesser of \$100 or 10% of established rate
  - Ban on balance billing for all ground ambulance providers or suppliers
- Include ground ambulance emergency services under Essential Health Benefit requirements under the ACA

# GAPB Recommendations (III)

- Payment standard
  - Payment required to provider within 30 days
  - Amounts specified in order as follows:
    1. Amount specified in a state law
    2. State or local regulated rate
    3. Mutually agreed rate by stakeholders
    4. Congressionally set % of Medicare or congressionally set amount (if not Medicare)
- No use of independent dispute resolution

# Prospects for Expanding Protections to Ground Ambulances

- Broad support likely for adding protections
- Valuable lessons from state laws, but federal protections are needed
- Breadth of services covered
- Potential for inflationary impact

# What States Can Do Going Forward

- Look at GAPB report for recommendations and best practices
- For maximum consumer protection, include coverage for non-emergency cases and both types of providers
- Include specific rate reimbursement guidance

# Georgetown CHIR Resources

Thank you! My contact information: [nadia.stovicek@georgetown.edu](mailto:nadia.stovicek@georgetown.edu)

- Blog posts for Commonwealth with our analysis of state laws
  - <https://www.commonwealthfund.org/blog/2021/protecting-consumers-surprise-ambulance-bills>
  - <https://www.commonwealthfund.org/blog/2024/expanding-no-surprises-act-protect-consumers-surprise-ambulance-bills>
- Blog post for CHIRBlog, with an enhanced table that includes some additional details on the state laws
  - <https://chirblog.org/filling-gap-no-surprises-act-states-protect-consumers-network-ground-ambulance-bills/>
- Interactive map
  - <https://www.commonwealthfund.org/publications/maps-and-interactives/expanding-no-surprises-act-protect-consumers-surprise-ambulance>