

FAA Reauthorization Act of 2018 Briefing by Air Evac Lifeteam
Kentucky Interim Joint Committee on Banking & Insurance October 23, 2018

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- Section 314: HELICOPTER AIR AMBULANCE OPERATIONS DATA AND REPORTS.

- Section 315: AVIATION RULEMAKING COMMITTEE PART 135 REST & DUTY RULES.

- Section 317: HELICOPTER FUEL SYSTEM SAFETY.

- Section 418: ADVISORY COMMITTEE FOR AIR AMBULANCE BILLING.

- Section 419: AIR AMBULANCE COMPLAINTS TO DOT.

- Section 420: REPORT TO CONGRESS ON AIR AMBULANCE OVERSIGHT.

Three attachments:

- 1) NOTABLE DATES AND TIMELINES (attached).
- 2) ADVISORY COMMITTEE MAKEUP (attached).
- 3) COMMITTEE RECOMMENDATIONS MUST INCLUDE (attached).

Advisory Committee on Air Ambulance Patient Billing 09/24/18

Notable Dates and Timelines:

“Establish Committee”	60 Days after passage
<i>Committee First Meeting (?)</i>	<i>Unspecified (?)</i>
Committee Recommendations Due	180 Days After First Meeting
Report to Congress on DOT Activity Due	180 After Committee Recommendations

“Upon receipt of the report” the Secretary of Transportation “shall consider recommendations and issue regulations or guidance as necessary”:

- “to require air ambulance providers to regularly report data to the Department of Transportation;”
- “to increase transparency related to Department of Transportation actions related to consumer complaints; and”
- “to provide other consumer protections for customers of air ambulance providers.”

Advisory Committee Makeup:

Representative of Group/Segment/Org	To be named
Sec. of Transportation (or Designee)	
Sec. of Health and Human Services (or Des.)	
“Each Relevant Federal Agency”	
State insurance regulators	
Health insurance providers	
Patient advocacy	
Consumer advocacy	
Physician (specializing trauma, cardiac, stroke)	
Air Ambulance Segment	
Air Ambulance Segment	
Air Ambulance Segment	
Representative not Covered by Section	
Representative not Covered by Section	
Representative not Covered by Section	

Committee Recommendations Must Include:

- “the costs, benefits, practicability, and impact on all stakeholders of clearly distinguishing between charges for air transportation services and charges for non-air transportation services in bills and invoices, including the costs, benefits, and practicability of developing cost-allocation methodologies to separate charges for air transportation services from charges for non-air transportation services; and...formats for bills and invoices that clearly distinguish between charges for air transportation services and charges for non-air transportation services;”
- “options, best practices, and identified standards to prevent instances of balance billing such as improving network and contract negotiation, dispute resolution between health insurance and air medical service providers, and explanation of insurance coverage and subscription programs to consumers;”
- “steps that can be taken by State legislatures, State insurance regulators, State attorneys general, and other State officials as appropriate, consistent with current legal authorities regarding consumer protection;”
- recommendations from the 2017 GAO report, including what data the Department of Transportation should collect, including:
 - ✓ “cost data;”
 - ✓ “standard charges and payments received per transport;”
 - ✓ “whether the provider is part of a hospital-sponsored program, municipality-sponsored program, hospital-independent partnership (hybrid) program, or independent program;”
 - ✓ “number of transports per base and helicopter;”
 - ✓ “market shares of air ambulance providers inclusive of any parent or holding companies;”
 - ✓ “any data indicating the extent of competition among air ambulance providers on the basis of price and service;”
 - ✓ “prices assessed to consumers and insurers for air transportation and any non-transportation services provided by air ambulance providers; and”
 - ✓ “financial performance of air ambulance providers”;
- “definitions of all applicable terms that are not defined in statute or regulations; and”
- “other matters as determined necessary or appropriate.”