

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1776

By: Representatives Schulz, Perry

By: Senator J. Boyd

## For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING GROUND AMBULANCE SERVICES; TO ESTABLISH A MINIMUM ALLOWABLE REIMBURSEMENT FOR GROUND AMBULANCE SERVICES; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND THE LAW CONCERNING GROUND AMBULANCE SERVICES; AND TO ESTABLISH A MINIMUM ALLOWABLE REIMBURSEMENT FOR GROUND AMBULANCE SERVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 99, is amended to add an additional subchapter to read as follows:

Subchapter 16 – Minimum Allowable Reimbursement for Ground Ambulance Services.

23-99-1601. Definitions.

As used in this subchapter:

(1) "Enrollee" means an individual who is entitled to receive healthcare services under the terms of a health benefit plan;

(2) "Ground ambulance services" means services authorized and licensed by the Department of Health to provide care and transportation of patients upon the streets and highways of Arkansas;

(3) "Ground ambulance service provider" means an entity that



provides ambulance transportation and emergency medical services to a patient;

(4)(A) "Health benefit plan" means a plan, policy, contract, certificate, agreement, or other evidence of coverage for healthcare services offered, issued, renewed, or extended in this state by a healthcare insurer.

(B) "Health benefit plan" includes nonfederal governmental plans as defined in 29 U.S.C. § 1002(32), as it existed on January 1, 2023.

(C) "Health benefit plan" does not include:

(i) A disability income plan;

(ii) A credit insurance plan;

(iii) Insurance coverage issued as a supplement to liability insurance;

(iv) A medical payment under automobile or homeowners insurance plans;

(v) A health benefit plan provided under Arkansas Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

(vi) A plan that provides only indemnity for hospital confinement;

(vii) An accident-only plan;

(viii) A specified disease plan;

(ix) A long-term-care-only plan;

(x) A dental-only plan;

(xi) A vision-only plan;

(xii) Medicaid; or

(xiii) A state or local governmental employee plan;

and

(5)(A) "Healthcare insurer" means an entity that is subject to state insurance regulation and provides coverage for health benefits in this state.

(B) "Healthcare insurer" includes:

(i) An insurance company;

(ii) A health maintenance organization;

(iii) A hospital and medical service corporation;

(iv) A risk-based provider organization; and

(v) A sponsor of a nonfederal self-funded

governmental plan.

23-99-1602. Minimum allowable reimbursement for ground ambulance services.

(a)(1) The minimum allowable reimbursement rate under any health benefit plan issued by a healthcare insurer to a participating ground ambulance service provider or an out-of-network ground ambulance service provider shall be at the rates approved or contracted between an ambulance service provider and a local government entity as provided for in § 14-266-105.

(2) In the absence of rates set as provided under subdivision (a)(1) of this section, the minimum allowable rate of reimbursement under a health benefit plan issued by a healthcare insurer shall be the lessor of:

(A) The rate established by the Worker's Compensation Commission under its medical fee schedule for ambulance services; or

(B) The provider's billed charges.

(b) A payment made under this section shall be considered payment in full for the covered services provided, except for any copayment, coinsurance, deductible, and other cost-sharing feature amounts required to be paid by the enrollee.

(c)(1) A healthcare insurer shall remit payment within thirty (30) days for ambulance services directly to the ground ambulance service provider.

(2) A healthcare insurer shall not send payment to an enrollee.

**APPROVED: 4/11/23**