

# WEST VIRGINIA LEGISLATURE

## 2016 REGULAR SESSION

**Introduced**

### **House Bill 4315**

**FISCAL  
NOTE**

BY MR. SPEAKER, (MR. ARMSTEAD) AND DELEGATE

MILEY

BY REQUEST OF THE EXECUTIVE

[Introduced January 27, 2016; Referred  
to the Committee on Banking and Insurance then  
Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §5-16-8a, relating to collection of air-ambulance fees for emergency treatment  
3 or air transportation rendered to persons covered by Public Employee Insurance Agency  
4 plans; allowing providers of air ambulance services not under contract with the Public  
5 Employees Insurance Agency to collect an amount up to the equivalent paid for federal  
6 reimbursement for services rendered to covered employees or dependents; and requiring  
7 providers of air ambulance services that enter into a subscription service agreement with  
8 employees or dependents covered by Public Employee Insurance Agency plans to accept  
9 the subscription fee as payment in full for services rendered.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §5-16-8a, to read as follows:

## **ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.**

### **§5-16-8a. Air-ambulance fees.**

1 (a) Notwithstanding any provision of this code to the contrary, any air-ambulance provider  
2 which does not have a contract with the plan, that provides air transportation or related emergency  
3 or treatment services to an employee or dependent of an employee covered by the plan, may not  
4 collect from the plan and the covered employee or dependent of the employee, a combined  
5 amount for those services which exceeds the reimbursement amount then in effect for the federal  
6 Medicare program, including any applicable Geographic Practice Cost Index.

7 (b) If an air-ambulance provider has entered into a subscription service agreement with  
8 an employee or dependent of an employee covered by the plan, and the employee or dependent  
9 is in good standing with the agreement, the air-ambulance provider shall accept the fee or cost of  
10 the subscription service agreement as payment in full for any air-ambulance transport and related  
11 emergency treatment or services which the air-ambulance provider may provide to that employee

12 or dependent of an employee.

NOTE: The purpose of this bill is to set the maximum amount for air-ambulance services which may be collected pursuant to the plans of the West Virginia Public Employees Insurance Agency.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.