

SENATE BILL NO. 396

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GANNON.

1665S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to air ambulance services, with an effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be known as section 376.2090, to read as follows:

376.2090. 1. As used in this section, the following terms shall mean:

(1) "Air ambulance membership product", an agreement to pay a subscription or otherwise make prospective payment for provision of air ambulance services to a consumer. Such term shall not include an agreement between an air ambulance service provider and a facility, as such term is defined in section 376.1350;

(2) "Air ambulance services", medical transport or emergency services provided by an entity regulated by the Federal Aviation Administration;

(3) "Air ambulance service provider", an entity that provides air ambulance services;

(4) "Consumer", a natural person who is a beneficiary of an air ambulance membership product;

(5) "Emergency service", the same meaning as is ascribed to such term in section 376.1350.

18 2. In situations where an air ambulance service
19 provider provides air ambulance services to a consumer of an
20 air ambulance membership product sold by that air ambulance
21 service provider, the air ambulance membership product shall
22 cover the transport and emergency services in full, and the
23 air ambulance service provider shall not bill or accept
24 payment from any other insurance product for the transport
25 or emergency services, including but not limited to:

26 (1) Health benefit plans, as defined in section
27 376.1350;

28 (2) Employer-provided health insurance regulated under
29 the Employee Retirement Income Security Act of 1974, as
30 amended;

31 (3) Medicare or Medicare advantage plans;

32 (4) MO HealthNet;

33 (5) Workers' compensation;

34 (6) The Missouri consolidated health care plan
35 established in chapter 103; or

36 (7) Any other insurance product at the discretion of
37 the department of commerce and insurance.

38 3. Air ambulance membership products shall be
39 considered insurance for purposes of enforcement of this
40 section by the director of the department of commerce and
41 insurance under chapter 374.

42 4. If any provision of this section or the application
43 thereof to anyone or to any circumstance is held invalid,
44 the remainder of this section and the application of such
45 provisions to others or other circumstances shall not be
46 affected thereby.

 Section B. The enactment of section 376.2090 of this
2 act shall become effective on August 28, 2024.

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