WHEREAS, prices associated with air ambulance transport continue to rise with bills in the tens of thousands and even hundreds of thousands of dollars for services that are sometimes not related to true emergencies; and

WHEREAS, the number of air ambulance companies joining health plan networks continues to remain small, providing them with the opportunity to balance bill consumers for tens of thousands of dollars; and

WHEREAS, it is essential that this State understands how air ambulance business practices impact the State (including its emergency medical system) and its residents; and

WHEREAS, the attorney general or other appropriate state agency of this state is empowered to investigate and take action against any business that is causing consumers harm; and

WHEREAS, because of preemption by the Airline Deregulation Act, the state insurance regulator has no authority over air ambulance companies, so any attempts by the insurance regulator to gather information or to compel the companies to modify their business practices would be futile;

NOW, THEREFORE, BE IT RESOLVED, the legislature of [state] urges the attorney general or other appropriate state agency to examine the business practices of air ambulance companies operating in this state to determine how those practices directly and indirectly impact the state and its residents;

BE IT FURTHER RESOLVED, that the attorney general's or other appropriate state agency’s study examine issues including but not limited to:
the financial aspects of site-to-facility and facility-to-facility transport, including the types and actual costs of operations, charges for services provided, billing and collections practices, and reimbursement by payers;

b. air ambulance membership programs;

c. arrangements between hospital operators and air ambulance companies which could create conflicts of interest or unwarranted preferential treatment;

d. market concentration and competition;

e. protocols used to determine how and when emergency transport is provided and through which mode (e.g. ground or air transport); and

BE IT FURTHER RESOLVED, that the attorney general’s or other appropriate state agency’s study reflect information collected through several means including but not limited to public hearings, review of data about consumer complaints and lawsuits; review of studies conducted in other states; and input solicited from stakeholders; and

BE IT FURTHER RESOLVED, within one year of commencing the study, the attorney general or other appropriate state agency shall issue a report to the governor and the legislature detailing the results of the study and providing policy recommendations stemming from the findings of the report; and the report shall be made public through, at minimum, posting on the website of the attorney general or other appropriate state agency; and

BE IT FURTHER RESOLVED, the National Conference of State Legislatures should work with the National Association of Attorneys General and National Association of Insurance Commissioners, to coordinate with the appropriate state government officials, agencies and regulators to successfully carry-out and execute the directives contained in this resolution.