



Ground Ambulance & Patient Billing Advisory Committee

Impact of Surprise Billing Laws: the No Surprises Act and State Action
to Address Ground Ambulance Billing



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Why is it Important to Fill the Ground Ambulance Billing Protection Gap?



Patients do not have any choice in their selection of a ground ambulance provider

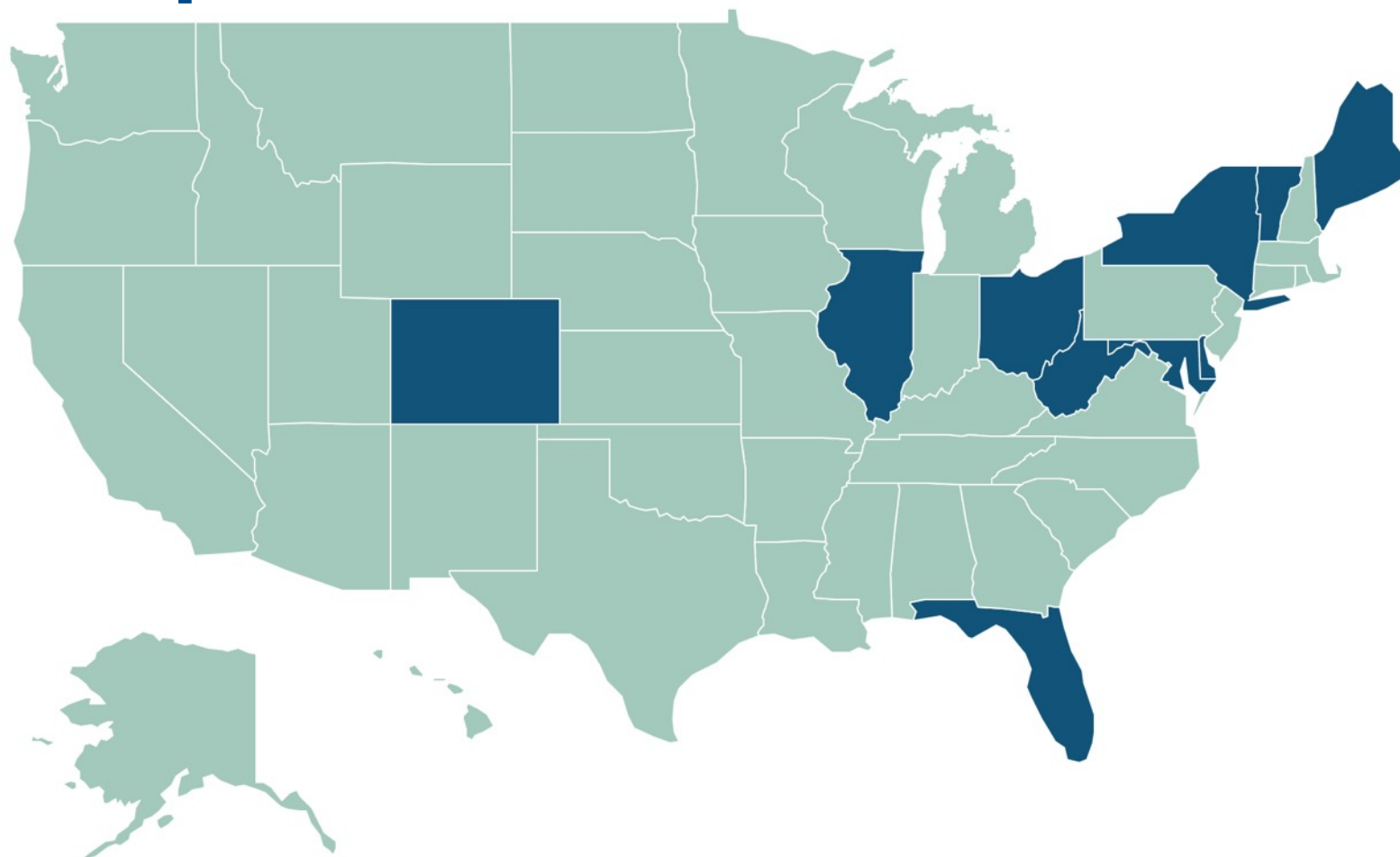


The emergent nature of circumstances requiring ground ambulances services limits opportunities for patient disclosure



Two-thirds of ground ambulance providers are public entities, which may lack resources to effectively contract with providers

Ten States Currently Protect Patients from Surprise Ambulance Bills



Main Factors to Consider: Consumer Protection and Rate Reimbursement

States that Holds Consumers Harmless for Surprise Bills

1. Colorado
2. Delaware
3. Illinois
4. Florida
5. Maine
6. Maryland
7. New York
8. Ohio (Emergency Only)
9. Vermont (Emergency Only)
10. West Virginia

States that Offer Rate Reimbursement Guidance

1. Colorado
2. Florida
3. Maine
4. New York
5. Ohio
6. West Virginia

Other Factors to Consider

- Applicability to public/private services or both
- Applicability to types of insurance plans
- Applicability to non-emergency services or circumstances where patient refuses medical attention
- Applicability of negotiation/arbitration process

State/Federal Partnership in the NSA

- Existing laws in 33 states; some considerably less comprehensive
- Federal protections apply unless state laws are more protective
- Some state processes for payment determinations are used in lieu of the federal IDR process
- Shared federal and state roles for enforcement
 - State insurance departments are primary enforcers for fully insured health products; Department of Labor enforces with self-insured plans
 - State officials are responsible for enforcing the law against providers
 - Federal enforcement if states fail to substantially enforce NSA
- States have the option to pass legislation to align more closely with NSA protection, or fill gaps in federal law

Study: Early Implementation

- Qualitative study by Georgetown Center on Health Insurance Reforms and the Urban Institute, published April 2023
- Funding from the Robert Wood Johnson Foundation
- Based primarily on stakeholder interviews
 - October 2022 – January 2023
 - State and federal regulators
 - Providers, including hospitals, physicians, and air ambulances
 - Insurers and health plans
- Focus on consumer protection, not dispute resolution process

Study: Key Findings

- Consumers are being protected from balance bills
- Insurers and providers have taken key steps to ensure compliance
- Federal complaint system is up and running, and many states handle complaints as well
- Opportunities remain to expand protections
- Too early to understand broader impact on the health system

No Surprises Act: Applicability to Ground Ambulance Services

- No Surprises Act is mostly working
- Process for determining payments to out-of-network providers remains a work in progress
- Ground ambulance services consistently identified as a gap
- Several states have taken first steps, others are exploring
- Federal protections are needed