



## **Advisory Committee on Air Ambulance Quality and Patient Safety Task Notice**

**ACTION:** Notice of a new task assignment for the Advisory Committee on Air Ambulance Quality and Patient Safety (AAQPS).

**SUMMARY:** The Department of Transportation (DOT) in coordination with the Department of Health and Human Services (HHS) proposes a new AAQPS task to make recommendations in response to “The No Surprises Act” (Section 106(g)), as part of the Consolidated Appropriations Act, 2021, Public Law (Pub. L.), 116-260.

This notice informs the public of the new AAQPS tasking and subcommittee activities.

**BACKGROUND:** Congress directed DOT and HHS to establish the AAQPS to provide recommendations to the Secretary of Health and Human Services and the Secretary of Transportation on options to establish quality, patient safety, and clinical capability standards for each clinical capability level of air ambulances. AAQS is governed by the provisions of the Federal Advisory Committee Act (FACA), as amended, Pub. L. 92-463, 5 United States Code, Ch. 10).

The Committee, in consultation with relevant experts and stakeholders, as appropriate, shall develop and make publicly available a report on any recommendations submitted to Congress. The report must be developed and made publicly available no later than 180 days after the date of the Committee's first meeting.

On December 12, 2024, DOT and HHS assigned to AAQPS the task to make recommendations regarding options for improving service reliability during poor weather, night conditions, or other adverse conditions and differences between air ambulance vehicle types, services, and technologies, and other flight capability standards, and the impact of such differences on patient safety. AAQPS delegated this task to the Flight Safety Subcommittee. The FAA will serve as the Federal government representative to support the Flight Safety Subcommittee.

**THE TASK:** The Flight Safety Subcommittee will provide advice and recommendations pertaining to the most effective ways to resolve regulatory and guidance gaps for air ambulance operations. The subcommittee will review any relevant materials (i.e., all pertinent FARs and advisory circulars (ACs)) to assist in achieving their objective.

The subcommittee is tasked with:

1. Identifying any potential regulatory, guidance, and operational gaps that are applicable to air ambulance operations (e.g., Subpart L of Part 135, AC 135-14B, AC 135-15).
2. Providing recommendations addressing the following but not limited to:

- a. Options for improving service reliability during poor weather, night conditions, or other adverse conditions. This should include but not limited to items such as weather reporting, landing zones (LZ), infrastructure, maintenance reliability, aircraft availability, operational control centers, Visual Flight Rules (and Instrument Flight Rules minimums, and night operations (helipad vs. LZ).
- b. Differences between air ambulance vehicle types, services, and technologies, and other flight capability standards, and the impact of such differences on patient safety. When evaluating these differences, the recommendations should be categorized by type of aircraft conducting the air ambulance service (e.g., airplane, helicopter, powered-lift) with special emphasis placed on services provided (e.g., off-airport to helipad transportation versus airport-to-airport transportation).

The subcommittee should pay particular attention to any technology or equipment an air ambulance utilizes. Specifically, describe how the safety benefits from the technology or equipment would justify the costs.

The subcommittee should describe the mechanism (i.e., through policy, rulemaking, guidance material, operator specific training, or other mechanisms identified by the Subcommittee) that the FAA should consider for implementing the recommendations.

3. Develop a report containing recommendations on the findings and results of the tasks explained above.
  - a. The recommendation report should document both majority and dissenting positions on the findings and the rationale for each position.
  - b. Any disagreements should be documented, including the rationale for each position and the reasons for the disagreement.
4. The FAA may task the AAQPS with additional tasks.
5. The subcommittee may be reinstated to respond to the FAA's questions or concerns after the recommendation report has been submitted.

**SCHEDULE:** The AAQPS must submit the recommendation report to the FAA by April 24, 2025.

**SUBCOMMITTEE ACTIVITY:** The subcommittee must comply with the procedures adopted by the AAQPS and as follows:

1. Conduct a review and analysis of the assigned tasks and any other related materials or documents.

2. Provide a status report at each AAQPS meeting.
3. Draft and submit the recommendation report based on the review and analysis of the assigned tasks.
4. Present the recommendation report at the AAQPS meeting.

**PARTICIPATION IN THE SUBCOMMITTEE:** The DOT appointed members of the AAQPS will serve as members of the Flight Safety Subcommittee. The subcommittee will solicit and collect stakeholder feedback, provide advice and recommendations on the assigned task, and review and approve submission of the recommendation report to the AAQPS for its consideration. The subcommittee may invite subject matter experts for assistance.

The provisions of the guidance from the Office of Management and Budget, dated August 13, 2014, “Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions” (79 FR 47482), continues the ban on registered lobbyists participating on agency boards and commissions if participating in their “individual capacity”. The revised guidance now allows registered lobbyists to participate on agency boards and commissions in a “representative capacity” for the “express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government”. (For further information see Lobbying Disclosure Act of 1995 (LDA) as amended, 2 U.S.C 1603, 1604, and 1605).

The subcommittee shall not work independently of the chartered committee and shall report all recommendations and advice to the AAQPS for deliberation and discussion.

#### Roles and Responsibilities

Members of the subcommittee assigned to this new tasking should actively participate by attending all meetings and providing written comments when requested. Members should devote the resources necessary to support the subcommittee in meetings and assigned deadlines. Subcommittee members should also keep their organization and the industry segment they may represent advised of subcommittee activities and decisions to ensure the proposed technical solutions do not conflict with the position of those they represent. Once the subcommittee has begun deliberations, members will not be added or substituted without the approval of the subcommittee chair, the FAA, and the AAQPS Designated Federal Officer.

#### Confidential Information

All final work products submitted to the AAQPS are public documents. Therefore, it should not contain any nonpublic proprietary, privileged, business, commercial, and other sensitive information (collectively, Confidential Information) that the subcommittee members would not want to be publicly available. With respect to the subcommittee, there may be instances where members will share Commercial Information within the subcommittee for purposes of

completing an assigned task. Members must not disclose to any third party or use for any purposes other than the assigned task, any and all Confidential Information disclosed to one party by the other party, without the prior written consent of the party whose Confidential information is being disclosed. All parties must treat the Confidential Information of the disclosing party as it would treat its own Confidential Information, but in no event shall it use less than a reasonable degree of care. If any Confidential Information is shared with the FAA representative it must be properly marked in accordance with the FAA Committee Manual.<sup>1</sup>

The AAQPS meetings are open to the public. However, subcommittee meetings are not open to the public, except to the extent individuals with an interest and expertise are selected to participate.

**FOR FURTHER INFORMATION CONTACT:** Nolan Crawford, Aviation Safety Inspector for Flight Standards, AFS-220, Federal Aviation Administration, (202) 267-8166; [james.n.crawford@faa.gov](mailto:james.n.crawford@faa.gov).

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<sup>1</sup> FAA Committee Manual - <https://www.faa.gov/media/75196>.