

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2231

Page 1, line 1, replace "three" with "a new section to chapter 23-16 and four"

Page 1, line 2, after "to" insert "informed decisionmaking for choosing air ambulance service providers,"

Page 1, line 3, after "services" insert ", and air ambulance subscriptions"

Page 1, after line 7, insert:

"**SECTION 1.** A new section to chapter 23-16 of the North Dakota Century Code is created and enacted as follows:

Air ambulances - Informed Decisions - Publication.

1. Before a hospital refers a patient to an air ambulance service provider or initiates contact with an air ambulance service provider for air transport of the patient, the hospital shall inform the patient, or the patient's representative, of the air ambulance service provider's health insurance network status for the purpose of allowing the patient or the patient's representative to make an informed decision on choosing an air ambulance service provider or form of transportation.
2. A hospital is presumed in compliance with subsection 1 if the hospital provides the patient, or the patient's representative, the health insurance network status published by the insurance department under subsection 4.
3. A hospital is exempt from complying with this section if the hospital determines and documents that due to emergency circumstances, compliance might jeopardize the health or safety of the patient.
4. At least quarterly, the insurance department shall publish on the insurance department's website data regarding the health insurance network status of each air ambulance service provider authorized to operate in the state."

Page 4, line 30, remove "providers is two hundred percent"

Page 4, remove line 31

Page 5, remove lines 1 and 2

Page 5, line 3, replace "2." with "provider services is equal to the average of the insurer's in-network rates for air ambulance providers in the state.

2. An insurer may not use the average of an insurer's in-network rates for air ambulance providers in the state in order to decrease current or future contractual rates between an insurer and an air ambulance provider.
3. For purposes of settling a claim made by the insured for air ambulance services, a payment made by an insurer under the plan in compliance with this section is deemed to be the same as an in-network payment and is

considered a full and final payment by the insured for out-of-network air ambulance services billed to the insured.

4."

Page 8, line 14, replace "pre-empt" with "preempt"

Page 9, after line 10, insert:

"SECTION 9. A new section to chapter 26.1-47 of the North Dakota Century Code is created and enacted as follows:

Air ambulance subscription agreements - Prohibition.

An air ambulance provider, or an agent of an air ambulance provider, may not sell, solicit, or negotiate a subscription agreement or contract relating to services or the billing of services provided by an air ambulance provider. An air ambulance provider, or agent of an air ambulance provider, which violates this section is subject to a civil fine in an amount not to exceed ten thousand dollars for each violation. The fine may be collected and recovered in an action brought in the name of the state."

Page 9, line 11, remove "1, 3, 4, and"

Page 9, line 12, replace the first "5" with "2, 4, 5, and 6"

Page 9, line 12, replace the second "5" with "6"

Page 9, line 13, replace "2, 6, and 7" with "3, 7, and 8"

Page 9, line 14, replace "5" with "6"

Renumber accordingly