

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1776

5 By: Representatives Schulz, Perry  
6 By: Senator J. Boyd  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING GROUND AMBULANCE  
10 SERVICES; TO ESTABLISH A MINIMUM ALLOWABLE  
11 REIMBURSEMENT FOR GROUND AMBULANCE SERVICES; AND FOR  
12 OTHER PURPOSES.  
13  
14

## Subtitle

15 TO AMEND THE LAW CONCERNING GROUND  
16 AMBULANCE SERVICES; AND TO ESTABLISH A  
17 MINIMUM ALLOWABLE REIMBURSEMENT FOR  
18 GROUND AMBULANCE SERVICES.  
19  
20  
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
23

24 SECTION 1. Arkansas Code Title 23, Chapter 99, is amended to add an  
25 additional subchapter to read as follows:

26 Subchapter 16 – Minimum Allowable Reimbursement for Ground Ambulance  
27 Services.  
28

29 23-99-1601. Definitions.

30 As used in this subchapter:

31 (1) "Enrollee" means an individual who is entitled to receive  
32 healthcare services under the terms of a health benefit plan;

33 (2) "Ground ambulance services" means services authorized and  
34 licensed by the Department of Health to provide care and transportation of  
35 patients upon the streets and highways of Arkansas;

36 (3) "Ground ambulance service provider" means an entity that



1 provides ambulance transportation and emergency medical services to a  
 2 patient;

3 (4)(A) "Health benefit plan" means a plan, policy, contract,  
 4 certificate, agreement, or other evidence of coverage for healthcare services  
 5 offered, issued, renewed, or extended in this state by a healthcare insurer.

6 (B) "Health benefit plan" includes nonfederal governmental  
 7 plans as defined in 29 U.S.C. § 1002(32), as it existed on January 1, 2023.

8 (C) "Health benefit plan" does not include:

9 (i) A disability income plan;

10 (ii) A credit insurance plan;

11 (iii) Insurance coverage issued as a supplement to  
 12 liability insurance;

13 (iv) A medical payment under automobile or  
 14 homeowners insurance plans;

15 (v) A health benefit plan provided under Arkansas  
 16 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
 17 seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

18 (vi) A plan that provides only indemnity for  
 19 hospital confinement;

20 (vii) An accident-only plan;

21 (viii) A specified disease plan;

22 (ix) A long-term-care-only plan;

23 (x) A dental-only plan;

24 (xi) A vision-only plan;

25 (xii) Medicaid; or

26 (xiii) A state or local governmental employee plan;

27 and

28 (5)(A) "Healthcare insurer" means an entity that is subject to  
 29 state insurance regulation and provides coverage for health benefits in this  
 30 state.

31 (B) "Healthcare insurer" includes:

32 (i) An insurance company;

33 (ii) A health maintenance organization;

34 (iii) A hospital and medical service corporation;

35 (iv) A risk-based provider organization; and

36 (v) A sponsor of a nonfederal self-funded

1 governmental plan.

2  
3 23-99-1602. Minimum allowable reimbursement for ground ambulance  
4 services.

5 (a)(1) The minimum allowable reimbursement rate under any health  
6 benefit plan issued by a healthcare insurer to a participating ground  
7 ambulance service provider or an out-of-network ground ambulance service  
8 provider shall be at the rates approved or contracted between an ambulance  
9 service provider and a local government entity as provided for in § 14-266-  
10 105.

11 (2) In the absence of rates set as provided under subdivision  
12 (a)(1) of this section, the minimum allowable rate of reimbursement under a  
13 health benefit plan issued by a healthcare insurer shall be the lessor of:

14 (A) The rate established by the Worker's Compensation  
15 Commission under its medical fee schedule for ambulance services; or

16 (B) The provider's billed charges.

17 (b) A payment made under this section shall be considered payment in  
18 full for the covered services provided, except for any copayment,  
19 coinsurance, deductible, and other cost-sharing feature amounts required to  
20 be paid by the enrollee.

21 (c)(1) A healthcare insurer shall remit payment within thirty (30)  
22 days for ambulance services directly to the ground ambulance service  
23 provider.

24 (2) A healthcare insurer shall not send payment to an enrollee.