

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 463
By: Springer (Perry)
Health & Human Services
5/16/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Subscription programs for air ambulance services are particularly important in sparsely populated rural areas with limited medical services. These programs can provide speedy transportation to hospitals for members in isolated areas while limiting costs. Unfortunately, membership in such a program does not guarantee the availability of service when an emergency occurs, which can lead to charges being incurred for the total cost of transport provided by another air ambulance service provider. H.B. 463 seeks to address this issue by establishing requirements for reciprocity agreements between air ambulance companies operating a subscription program. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 463 amends current law relating to reciprocity agreements between air ambulance companies operating a subscription program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission (executive commissioner) in SECTION 2 of this bill.

Rulemaking authority previously granted to the executive commissioner is modified in SECTION 1 (Section 773.011, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 773.011, Health and Safety Code, by amending Subsections (b) and (e) and adding Subsection (d-1), as follows:

(b) Requires the rules adopted by the executive commissioner of the Health and Human Services Commission (executive commissioner) for establishing minimum standards for the creation and operation of a subscription program to:

- (1) ensure the protection of public health and safety;
- (2) ensure compliance with federal laws and rules related to air ambulance subscription program services; and
- (3) establish minimum standards and objectives for the delivery of air ambulance emergency medical services provided in accordance with a reciprocity agreement entered into under Subsection (d-1).

(d-1) Requires an air ambulance company that operates a subscription program, in accordance with executive commissioner rules, to enter into a reciprocity agreement with each other air ambulance company that operates a subscription program in the same service delivery area to ensure maximum geographic coverage for patients covered under a subscription program.

(e) Provides that the Insurance Code does not apply to a subscription program established or a reciprocity agreement entered into under this section.

SECTION 2. Requires the executive commissioner, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Section 773.011, Health and Safety Code, as amended by this Act.

SECTION 3. Effective date: January 1, 2020.