

SECOND REGULAR SESSION

HOUSE BILL NO. 2874

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PHELPS.

4344H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to air ambulance memberships, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be
2 known as section 407.324, to read as follows:

407.324. 1. As used in this section, the following terms mean:

2 **(1) "Air ambulance membership agreement", an agreement in exchange for**
3 **consideration to pay for, indemnify, or provide an amount to a person for the cost of air**
4 **ambulance services. The term "air ambulance membership agreement" shall not**
5 **include a health insurance plan or policy regulated under chapter 376;**

6 **(2) "Air ambulance membership organization", an individual or entity that**
7 **provides an air ambulance membership agreement.**

8 **2. (1) An air ambulance membership organization shall not knowingly sell, offer**
9 **for sale, or renew an air ambulance membership agreement to an individual who is**
10 **enrolled in MO HealthNet.**

11 **(2) If an individual who has purchased an air ambulance membership**
12 **agreement subsequently enrolls in MO HealthNet during the duration of the**
13 **membership agreement, the enrollee may notify the air ambulance membership**
14 **organization of such enrollment. If the enrollee notifies the air ambulance membership**
15 **organization of such enrollment within thirty days following the effective date of the**
16 **enrollment, the enrollee may request, and upon such request the air ambulance**
17 **membership organization shall provide, either a prorated refund of any consideration**

EXPLANATION — Matter enclosed in bold-faced brackets [~~thus~~] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 paid for the period from the effective date of the MO HealthNet enrollment through the
19 expiration date of the air ambulance membership agreement or a transfer of the
20 membership to another individual in the enrollee's household. If the enrollee does not
21 notify the air ambulance membership organization of such enrollment within thirty
22 days, the enrollee is not entitled to a prorated refund, but the air ambulance
23 membership organization shall still disenroll the enrollee within thirty days of receipt of
24 the notice of the enrollee's enrollment in MO HealthNet unless the enrollee's
25 membership is transferred to another individual in the enrollee's household.

26 3. All air ambulance membership agreement websites, brochures, and marketing
27 material shall include the following disclosures in a clear and conspicuous place:

28 (1) The air ambulance membership agreement is a membership plan and is not
29 insurance coverage;

30 (2) Medicaid enrollees are not eligible to purchase this membership; and

31 (3) Some state laws prohibit Medicaid beneficiaries from being offered air
32 ambulance memberships or being accepted into air ambulance membership programs.

33 4. An air ambulance membership agreement application shall include the
34 following disclosures in a clear and conspicuous place:

35 (1) The air ambulance membership agreement is a membership plan and is not
36 insurance coverage;

37 (2) Medicaid enrollees are not eligible to purchase this membership; and

38 (3) Some state laws prohibit Medicaid beneficiaries from being offered air
39 ambulance memberships or being accepted into air ambulance membership programs.

40 5. If an enrollee believes that an individual or entity has violated the provisions
41 of this section, the enrollee may file a complaint with the office of the state attorney
42 general. The attorney general shall have all powers, rights, and duties regarding
43 violations of this section as are provided in sections 407.010 to 407.145.

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