

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 320 Session of 2007

INTRODUCED BY O'NEILL, BENNINGHOFF, BEYER, BOYD, BUXTON, CALTAGIRONE, CAUSER, CLYMER, DALEY, FABRIZIO, FREEMAN, GALLOWAY, GEIST, GEORGE, GINGRICH, GRUCELA, HENNESSEY, HERSHEY, HESS, LEACH, LEVDANSKY, MACKERETH, MELIO, MILLARD, R. MILLER, PETRONE, RAPP, REED, SABATINA, SCAVELLO, SIPTROTH, SOLOBAY, SONNEY, STABACK, STERN, SURRA, SWANGER, TRUE, VEREB, WALKO, WATSON AND YOUNGBLOOD, FEBRUARY 7, 2007

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 7, 2007

## AN ACT

1 Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An  
2 act relating to insurance; amending, revising, and  
3 consolidating the law providing for the incorporation of  
4 insurance companies, and the regulation, supervision, and  
5 protection of home and foreign insurance companies, Lloyds  
6 associations, reciprocal and inter-insurance exchanges, and  
7 fire insurance rating bureaus, and the regulation and  
8 supervision of insurance carried by such companies,  
9 associations, and exchanges, including insurance carried by  
10 the State Workmen's Insurance Fund; providing penalties; and  
11 repealing existing laws," prohibiting discrimination against  
12 volunteer ambulance services.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known  
16 as The Insurance Company Law of 1921, is amended by adding a  
17 section to read:

18 Section 635.2. Discrimination Against Volunteer Ambulance  
19 Services Prohibited.--(a) An insurer shall be required to  
20 contract with and to accept as a participating provider any

willing provider of volunteer ambulance services. An insurer shall not discriminate against a provider of volunteer ambulance services who agrees to accept negotiated payment levels and to adhere to quality standards established by the insurer.

(b) Whenever a volunteer ambulance service is properly dispatched by a public safety answering point as defined in the act of July 9, 1990 (P.L.340, No.78), known as the "Public Safety Emergency Telephone Act," any payment made by an insurer for a claim covered under a health insurance policy for a service performed by the volunteer ambulance service during such call shall be paid directly to the volunteer ambulance service, regardless of whether the ambulance service is a participating provider with the insurer.

(c) As used in this section:

(1) "Insurer" means an entity that is responsible for providing or paying for all or part of the cost of ambulance services covered by an insurance policy, contract or plan. An insurer includes an entity subject to:

(i) This act.

(ii) The act of December 29, 1972 (P.L.1701, No.364), known as the "Health Maintenance Organization Act."

(iii) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

(2) "Volunteer ambulance service" means any nonprofit chartered corporation, association or organization located in this Commonwealth, which is licensed by the Department of Health and is not associated or affiliated with any hospital and which is regularly engaged in the provision of emergency medical services, including basic life support or advanced life support

1 services and the transportation of patients within this  
2 Commonwealth. The term shall not include any corporation,  
3 association or organization that is primarily engaged in the  
4 operation of invalid coaches that are intended for the routine  
5 transport of persons who are convalescent or otherwise  
6 nonambulatory and do not ordinarily require emergency medical  
7 treatment while in transit.

8       Section 2. This act shall take effect in 60 days.