
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1344 Session of
2011

INTRODUCED BY O'NEILL, DIGIROLAMO, SANTARSIERO, BARRAR, BOYD,
BRIGGS, V. BROWN, CALTAGIRONE, CAUSER, CLYMER, P. COSTA, COX,
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READSHAW, REICHLEY, ROAE, SCHRODER, SONNEY, SWANGER, TALLMAN,
VEREB, VULAKOVICH, WAGNER, WATSON AND GRELL, APRIL 13, 2011

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, APRIL 13, 2011

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, providing for emergency service system
3 billing.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 8103 of Title 35 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:
8 § 8103. Definitions.

9 The following words and phrases when used in this chapter
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Insurer." As follows:

14 (1) An entity that is responsible for providing or
15 paying for all or part of the cost of ambulance services

1 covered by an insurance policy, contract or plan. The term
2 includes an entity subject to:

3 (i) the act of May 17, 1921 (P.L.682, No.284), known
4 as The Insurance Company Law of 1921;

5 (ii) the act of December 29, 1972 (P.L.1701,
6 No.364), known as the Health Maintenance Organization
7 Act; or

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

11 (2) The term does not include an entity that is
12 responsible for providing or paying under an insurance
13 policy, contract or plan which meets any of the following:

14 (i) Is a homeowner's insurance policy.

15 (ii) Provides any of the following types of
16 insurance:

17 (A) Accident only.

18 (B) Fixed indemnity.

19 (C) Limited benefit.

20 (D) Credit.

21 (D) Dental.

22 (E) Vision.

23 (F) Specified disease.

24 (G) Medicare supplement.

25 (H) Civilian Health and Medical Program of the
26 Uniformed Services (CHAMPUS) supplement.

27 (I) Long-term care.

28 (J) Disability income.

29 (K) Workers' compensation.

30 (L) Automobile medical payment insurance.

1 * * *

2 Section 2. Title 35 is amended by adding a section to read:
3 § 8158. Billing.

4 (a) Volunteer ambulance service.--If volunteer ambulance
5 service is properly dispatched by a public safety answering
6 point as defined in section 5302 (relating to definitions), a
7 payment made by an insurer for a claim covered under a health
8 insurance policy for a service performed by the volunteer
9 ambulance service during the call shall be paid directly to the
10 volunteer ambulance service, regardless of whether the ambulance
11 service is a participating provider with the insurer.

12 (b) Emergency medical services.--

13 (1) An insured may, through the assignment of benefits,
14 assign to a willing provider of emergency medical services
15 the insurer's right to receive reimbursement for service
16 performed by an emergency medical services agency.

17 (2) An emergency medical services agency must submit a
18 copy of the assignment under paragraph (1) or provide a
19 notice of the assignment of benefits on a form and in a
20 manner prescribed by the department to the insurer with a
21 claim for payment for emergency medical services performed by
22 the emergency medical services agency.

23 (3) The insurer, upon the notice and claim under
24 paragraph (2), shall remit payment of the claim directly to
25 the emergency medical services agency within the time frame
26 established by section 2166 of the act of May 17, 1921
27 (P.L.682, No.284), known as The Insurance Company Law of
28 1921.

29 (4) If there is compliance with paragraphs (1) and (2)
30 but the insurer remits payment of the claim to the insured,

1 the claim shall not be considered paid. The insurer shall,
2 notwithstanding the incorrect payment of the claim to the
3 insured, remain liable for remitting payment of the claim to
4 the emergency medical services agency pursuant to the
5 assignment of benefits.

6 Section 3. This act shall take effect in 60 days.