

By: Representatives Hobgood-Wilkes, Barton,  
Arnold, Hines, Mickens, Carpenter

To: Insurance

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1489

1 AN ACT TO BE KNOWN AS THE MISSISSIPPI TRIAGE, TREAT AND  
2 TRANSPORT TO ALTERNATIVE DESTINATION ACT; TO PROVIDE THAT HEALTH  
3 BENEFIT PLANS SHALL PROVIDE COVERAGE FOR AN AMBULANCE SERVICE TO  
4 TREAT OR ASSESS AN ENROLLEE IN PLACE, OR TRIAGE OR TRIAGE AND  
5 TRANSPORT AN ENROLLEE TO AN ALTERATIVE DESTINATION, OR AN  
6 ENCOUNTER BETWEEN AN AMBULANCE SERVICE AND ENROLLEE THAT RESULTS  
7 WITHOUT TRANSPORT OF THE ENROLLEE UNDER THE PLAN; TO PROVIDE THAT  
8 THE COVERAGE REQUIRED UNDER THIS SECTION IS SUBJECT TO THE  
9 INITIATION OF AMBULANCE SERVICE TREATMENT AS A RESULT OF A 911  
10 CALL THAT IS DOCUMENTED IN THE RECORDS OF THE AMBULANCE SERVICE  
11 AND SUBJECT TO DEDUCTIBLES OR CO-PAYMENT REQUIREMENTS OF THE PLAN,  
12 AND DOES NOT DIMINISH OR LIMIT BENEFITS OTHERWISE ALLOWABLE UNDER  
13 THE PLAN; TO PROVIDE THAT THE REIMBURSEMENT RATE FOR AN AMBULANCE  
14 SERVICE PROVIDER WHOSE OPERATORS ASSESS, TRIAGE, TREAT OR  
15 TRANSPORT AN ENROLLEE TO AN ALTERNATIVE DESTINATION SHALL BE NOT  
16 LESS THAN THE ADVANCED LIFE SUPPORT RATE WITH MILEAGE TO THE  
17 SCENE; TO PROVIDE THAT THE MINIMUM ALLOWABLE REIMBURSEMENT RATE  
18 UNDER ANY HEALTH BENEFIT PLAN TO A PARTICIPATING AMBULANCE SERVICE  
19 PROVIDER OR AN OUT-OF-NETWORK AMBULANCE SERVICE PROVIDER SHALL BE  
20 THE GREATER OF THE RATES CONTRACTED BETWEEN AN AMBULANCE SERVICE  
21 PROVIDER AND A COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR  
22 AUTHORITY, OR OTHERWISE APPROVED OR ESTABLISHED BY ORDINANCE OR  
23 REGULATION ENACTED BY ANY SUCH COUNTY, MUNICIPALITY OR SPECIAL  
24 PURPOSE DISTRICT OR AUTHORITY, OR THREE HUNDRED TWENTY-FIVE  
25 PERCENT OF THE REIMBURSEMENT ALLOWED BY MEDICARE FOR SERVICES  
26 ORIGINATING IN RURAL AREAS; TO PROVIDE THAT IF AN AMBULANCE  
27 SERVICE PROVIDER'S BILLED CHARGES ARE LESS THAN THE MINIMUM  
28 ALLOWABLE REIMBURSEMENT RATE PROVIDED FOR IN THIS ACT, THEN SUCH  
29 MINIMUM ALLOWABLE REIMBURSEMENT RATE SHALL BE THE PROVIDER'S  
30 BILLED CHARGES; AND FOR RELATED PURPOSES.

31 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:



32           **SECTION 1.** (1) This section shall be known and may be cited  
33 as the "Mississippi Triage, Treat and Transport to Alternative  
34 Destination Act".

35           (2) **Definitions.** As used in this section, the following  
36 terms shall be defined as provided in this subsection:

37           (a) "911 call" means a communication made on behalf of  
38 an enrollee indicating that the enrollee may need emergency  
39 medical services;

40           (b) (i) "Alternative destination" means a lower-acuity  
41 facility that provides medical services, including, without  
42 limitation:

- 43                                 1. A federally qualified health center;
- 44                                 2. An urgent care center;
- 45                                 3. A physician's office or medical clinic, as  
46 chosen by the patient; and
- 47                                 4. A behavioral or mental health care  
48 facility, including, without limitation, a crisis stabilization  
49 unit and a diversion center.

50           (ii) "Alternative destination" does not include a:

- 51                                 1. Critical access hospital;
- 52                                 2. Dialysis center;
- 53                                 3. Hospital;
- 54                                 4. Private residence; or
- 55                                 5. Skilled nursing facility.



56 (c) "Ambulance service provider" means a person or  
57 entity that provides ambulance transportation and emergency  
58 medical services to a patient for which a permit is required under  
59 Section 41-59-9;

60 (d) "Enrollee" means an individual who is covered by  
61 any health benefit plan; and

62 (e) "Health benefit plan" means any such policy as  
63 defined by Section 83-63-3.

64 (3) Coverage for ambulance service to assess, triage and  
65 transport enrollee to alternative destination or treat in place.  
66 On and after July 1, 2024, any health benefit plan shall provide  
67 coverage for:

68 (a) An ambulance service to:

69 (i) Treat or assess an enrollee in place; or

70 (ii) Triage or triage and transport an enrollee to  
71 an alternative destination; or

72 (b) An encounter between an ambulance service and  
73 enrollee that results without transport of the enrollee.

74 (4) The coverage required under this section:

75 (a) Is subject to the initiation of ambulance service  
76 treatment as a result of a 911 call that is documented  
77 in the records of the ambulance service;

78 (b) Is subject to deductibles or co-payment  
79 requirements of the health benefit plan;



80 (c) Does not diminish or limit benefits otherwise  
81 allowable under a health benefit plan, even if the billing claims  
82 for medical or behavioral health services overlap in time that is  
83 billed by the ambulance service provider that is also providing  
84 care; and

85 (d) Is subject to any provisions of the health benefit  
86 plan that apply to other services covered by the health benefit  
87 plan.

88 (5) The reimbursement rate for an ambulance service provider  
89 whose operators assess, triage, treat or transport an enrollee to  
90 an alternative destination shall be not less than the advanced  
91 life support rate with mileage to the scene.

92 **SECTION 2.** (1) (a) The minimum allowable reimbursement  
93 rate under any health benefit plan as defined by Section 83-9-1 to  
94 a participating ambulance service provider or an out-of-network  
95 ambulance service provider shall be the greater of:

96 (i) The rates contracted between an ambulance  
97 service provider and a county, municipality or special purpose  
98 district or authority, or otherwise approved or established by  
99 ordinance or regulation enacted by any such county, municipality  
100 or special purpose district or authority; or

101 (ii) Three hundred twenty-five percent (325%) of  
102 the reimbursement allowed by Medicare for services originating in  
103 rural areas.



104 For the purposes of this section, the term "ambulance service  
105 provider" means a person or entity that provides ambulance  
106 transportation and emergency medical services to a patient for  
107 which a permit is required under Section 41-59-9.

108 (b) If an ambulance service provider's billed charges  
109 are less than the reimbursement rate provided in this subsection  
110 (1), the minimum allowable reimbursement rate under any health  
111 benefit plan to the participating ambulance service provider or an  
112 out-of-network ambulance service provider shall be the provider's  
113 billed charges.

114 (2) A payment made under this section shall be considered  
115 payment in full for the covered services provided, except for any  
116 co-payment, coinsurance, deductible, and other cost-sharing  
117 feature amounts required to be paid by the enrollee.

118 **SECTION 3.** Sections 1 and 2 of this act shall be codified as  
119 new sections in Chapter 9, Title 83, Mississippi Code of 1972.

120 **SECTION 4.** This act shall take effect and be in force from  
121 and after July 1, 2024.

