

By: Representatives Carpenter, Hobgood-
Wilkes

To: Public Health and Human
Services; Insurance

HOUSE BILL NO. 1631

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

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



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

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

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

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

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

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

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



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

61 (d) "Enrollee" means an individual who is covered by
62 any policy of accident and sickness insurance; and

63 (e) "Policy of accident and sickness insurance" means
64 any such policy as defined by Section 83-9-1.

65 (3) Coverage for ambulance service to assess, triage and
66 transport enrollee to alternative destination or treat in place.
67 On and after July 1, 2024, any policy of accident and sickness
68 insurance shall provide coverage for:

69 (a) An ambulance service to:

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

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

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

75 (4) The coverage required under this section:

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

79 (b) Is subject to deductibles or copayment requirements
80 of the policy of accident and sickness insurance;



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

86 (d) Is subject to any provisions of the policy of
87 accident and sickness insurance that apply to other services
88 covered by the policy of accident and sickness insurance.

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

93 **SECTION 2.** (1) (a) The minimum allowable reimbursement
94 rate under any policy of accident and sickness insurance as
95 defined by Section 83-9-1 to a participating ambulance service
96 provider or an out-of-network ambulance service provider shall be
97 the greater of:

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

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



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

110 (b) If an ambulance service provider's billed charges
111 are less than the reimbursement rate provided in this subsection
112 (1), the minimum allowable reimbursement rate under any policy of
113 accident and sickness insurance to the participating ambulance
114 service provider or an out-of-network ambulance service provider
115 shall be the provider's billed charges.

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

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

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

