

HOUSE JOINT RESOLUTION NO. 29

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A STUDY OF MEMBERSHIP-BASED HEALTH CARE SERVICES, INCLUDING MEMBERSHIP-BASED AMBULANCE SERVICES, TO DETERMINE IMPACTS ON HEALTH INSURANCE, HEALTH CARE ACCESS, OTHER HEALTH CARE PROVIDERS, AND HEALTH CARE COSTS.

WHEREAS, House Bill No. 177 (2015), a bill to expand the field of private air ambulance services, also raised issues related to how private-pay memberships interact with health insurance; and

WHEREAS, Montana's vast geographic distances and rural nature complicate access to timely treatment for emergent medical conditions and sometimes underscore the need for private air ambulance services to transport patients to critical care centers in Montana and elsewhere; and

WHEREAS, current and past legislatures have considered and sometimes allowed products that are not regulated as health insurance, including private air ambulance services, to operate generally under the investigatory authority and enforcement of the Attorney General's office from both a consumer protection and an antitrust perspective.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, to examine:

- (1) membership-based health services in Montana and elsewhere, including:
  - (a) estimates of their financial impacts on consumers and the health care system;
  - (b) uses of high-deductible health insurance or other interactions with health insurance coverage, if any;
  - (c) estimates of network scope and availability; and
  - (d) regulatory aspects, whether as an insurance product or a noninsurance product, and associated complaint processes;



1 (2) the impacts to the health care system and to health insurance issuers associated with the use of  
2 membership plans, whether for private ambulance services or private direct-service health care;

3 (3) the availability of private air ambulance and private ground ambulance services and the financial  
4 costs for consumers, including:

5 (a) the number of private air ambulance services and private ground ambulance services in Montana,  
6 the number that offer memberships, and their respective service areas;

7 (b) billing rates for services provided by private ground ambulance services and private air ambulances,  
8 including rates for flights to major regional medical centers such as Denver, Salt Lake City, and Seattle, whether  
9 provided to members or to nonmembers;

10 (c) the prevalence and terms of preferred provider arrangements between private air ambulance services  
11 and health insurers;

12 (d) the common out-of-network insurance reimbursement rates and balance billing amounts for private  
13 air ambulance and ground ambulance services;

14 (e) the prevalence, service area coverage, and terms of reciprocity agreements used by  
15 membership-based private air and ground ambulance services; and

16 (f) the appropriateness of provisions in section 50-6-306, MCA, requiring licensing of emergency medical  
17 services, and section 50-6-320, MCA, exempting private air ambulance service providers from some regulations  
18 if certain conditions are met, for providing adequate consumer protection and enforcement; and

19 (4) the studies, if any, from other states regarding impacts on access to health care through use of  
20 private membership-based direct-service health care or air or ground ambulance service membership, including  
21 whether health care providers have shifted their type of practice and whether membership-based services bear  
22 risk for coverage.

23 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
24 requirements, be concluded prior to September 15, 2016.

25 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
26 comments, or recommendations of the appropriate committee, be reported to the 65th Legislature.

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