

REGULAR CALENDAR

October 24, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Commerce and Consumer Affairs to
which was referred HB 343,**

AN ACT relative to billing for ambulance services.

Having considered the same, report the same: NOT

RECOMMENDED FOR FUTURE LEGISLATION.

Rep. Anita Burroughs

FOR THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

Committee:	Commerce and Consumer Affairs
Bill Number:	HB 343
Title:	relative to billing for ambulance services.
Date:	October 24, 2022
Consent Calendar:	REGULAR
Recommendation:	NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT

This bill would prohibit balance billing for ambulance bills under the managed care law and would require insurers to reimburse ambulance providers directly. The Commerce and Consumer Affairs Committee voted that this bill is Not Recommended for Future Legislation because ambulance providers want to continue being able to bill. The committee recommends future legislation to address this issue. Members of the committee will be meeting with stakeholders during the next legislative session with the goal of reintroducing legislation the following year.

Vote 15-1.

Rep. Anita Burroughs
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Commerce and Consumer Affairs

HB 343, relative to billing for ambulance services.**NOT RECOMMENDED FOR FUTURE LEGISLATION .**

Rep. Anita Burroughs for Commerce and Consumer Affairs. This bill would prohibit balance billing for ambulance bills under the managed care law and would require insurers to reimburse ambulance providers directly. The Commerce and Consumer Affairs Committee voted that this bill is Not Recommended for Future Legislation because ambulance providers want to continue being able to bill. The committee recommends future legislation to address this issue. Members of the committee will be meeting with stakeholders during the next legislative session with the goal of reintroducing legislation the following year. **Vote 15-1.**

Original: House Clerk

Cc: Committee Bill File

Heather Goley

From: JOHN HUNT <jbhunt@prodigy.net>
Sent: Saturday, October 22, 2022 8:59 AM
To: Kristin Grant; Heather Goley
Cc: Anita Burroughs
Subject: HB343

Caution! This message was sent from outside your organization.

Not recommended,

HB 343 prohibits balance billing for ambulance billing under the managed care law and requires insurers to reimburse ambulance providers directly. The Commerce Committee voted this bill not reminded for future legislation because ambulance providers want to continue being able to bill. The committee recommended's future legislation needs to address this issue. Members of the committee will be meeting with stakeholders during the next legislative session with the goal of reintroducing legislation the following year.

Vote 17-0

Anita Burroughs

OK

JBH

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: October 19, 2022

LOB ROOM: 302 - 304

MOTION:

Interim Study (2nd yr) Not Recommended for Future Legislation

Moved by Rep. Burroughs

Seconded by Rep. Hunt

Vote: 15-1

Respectfully submitted,

Rep Keith Ammon, Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 343

BILL TITLE:

DATE: 10/19/22

LOB ROOM: 302 - 304

MOTION:

Recommended for Future Legislation

Not Recommended for Future Legislation

Moved by Rep. Bumoughs Seconded by Rep. Hent Vote: 15-1

Respectfully submitted,

Rep. Keith Cannon
Committee Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

10/17/2022 12:32:27 PM
Roll Call Committee Registers
Report

2022 SESSION

Commerce and Consumer Affairs

*NR Beggs
Burrongs*

Bill #: HB343

Motion: ~~Amended~~

AM #: _____

Exec Session Date: 10/19/22

Members	YEAS	Nays	NV
Hunt, John B. Chairman	15		
Potucek, John M. Vice Chairman	1		
Osborne, Jason M. ✓	2		
Ammon, Keith M. Clerk	3		
Abramson, Max		1	
Ham, Bonnie D.	4		
Depalma IV, Joseph ✓	5		
Greeson, Jeffrey ✓	6		
Johnson, Dawn M.	7		
Terry, Paul A.			
Bartlett, Christy D.	8		
Abel, Richard M.			
Herbert, Christopher J.	9		
Van Houten, Constance	10		
Fargo, Kristina M.			
Weston, Joyce	11		
Beaulieu, Jane E.	12		
Burrongs, Anita D.	13		
McAler, Chris R.	14		
TOTAL VOTE:	15	1	



**STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK**

10/17/2022 12:32:27 PM
Roll Call Committee Registers
Report

2022 SESSION

Bill #: _____ **Motion:** _____ **AM #:** _____ **Exec Session Date:** _____

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: 10/13/22

Subcommittee Members: Reps. Hunt, Potucek, Ammon, Osborne, Abramson, Ham, Depalma IV, Greeson, Johnson, Terry, Bartlett, Abel, Herbert, Van Houten, Fargo, Weston, Beaulieu, Burroughs and McAleer

Comments and Recommendations:

- MOTION:** Recommended for Future Legislation
 Not Recommended for Future Legislation

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

Respectfully submitted,

Rep. _____
Subcommittee Chairman/Clerk

CONSENT CALENDAR

October 29, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Commerce and Consumer Affairs to
which was referred HB 343,**

AN ACT relative to billing for ambulance services.

**Having considered the same, report the same with the
recommendation that the bill be REFERRED FOR
INTERIM STUDY.**

Rep. Max Abramson

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Commerce and Consumer Affairs
Bill Number:	HB 343
Title:	relative to billing for ambulance services.
Date:	October 29, 2021
Consent Calendar:	CONSENT
Recommendation:	REFER FOR INTERIM STUDY

STATEMENT OF INTENT

A majority of the Commerce Committee mentioned concerns that out of state visitors and shoppers were using a disproportionate amount of ambulance service with Medicare, Medicaid, private, or no insurance, and these uninsured or underinsured patients left behind uncompensated care for property tax payers to subsidize. Granite Staters have often spoken up against any forced subsidy at public hearings, and this was no exception. Although there were some structural problems with the mechanics of this bill, the majority on the committee believed that balanced billing and uncompensated service had a large enough impact on local property tax bills that it was worthwhile to hold on to the bill and get further input for future legislation.

Vote 19-0.

Rep. Max Abramson
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Commerce and Consumer Affairs

HB 343, relative to billing for ambulance services. **REFER FOR INTERIM STUDY.**

Rep. Max Abramson for Commerce and Consumer Affairs. A majority of the Commerce Committee mentioned concerns that out of state visitors and shoppers were using a disproportionate amount of ambulance service with Medicare, Medicaid, private, or no insurance, and these uninsured or underinsured patients left behind uncompensated care for property tax payers to subsidize. Granite Staters have often spoken up against any forced subsidy at public hearings, and this was no exception. Although there were some structural problems with the mechanics of this bill, the majority on the committee believed that balanced billing and uncompensated service had a large enough impact on local property tax bills that it was worthwhile to hold on to the bill and get further input for future legislation. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

Heather Goley

From: John Hunt <jbhuntnh@gmail.com>
Sent: Thursday, October 28, 2021 5:27 PM
To: Heather Goley
Subject: Fwd: committee reports

OK,
JBH

Begin forwarded message:

From: Max Abramson <MaxAbramson@gmx.com>
Subject: committee reports
Date: October 26, 2021 at 3:54:16 PM EDT
To: John Hunt <jbhunt@prodigy.net>

HB343 RFIS

A majority of the Commerce Committee mentioned concerns that out of state visitors and shoppers were using a disproportionate amount of ambulance service with Medicare, Medicaid, private insurance, and uninsured or underinsured leaving behind uncompensated care to property taxpayers to subsidize. Granite Staters have often spoken up against any forced subsidy at public hearings, and this was no exception. Although there were some structural problems with the mechanics of this bill, the majority on Commerce believed that balanced billing and uncompensated service had a large enough impact on local property tax bills that it was worthwhile to hold onto the bill and get further input for future legislation.

HB245 OTP (motion was RFIS 18-1)

RSA 175:1 requires that most convenience stores carry \$3,000 of "groceries," but the minority noted that many stores around the state were complying with this absurd mandate with an absurd result: that shop owners throw out dusty cans of Spam, vienna sausage, condensed milk, Tobasco sauce, and \$8 boxes of Cheerio's and Froot Loops when they reach their expiration date and simply go back to the grocery store to buy more. Some stores even kept a frozen loaf of bread in the ice box to comply with these mandates. Under the free enterprise system, entrepreneurs must be allowed to start up new, innovative businesses that break the old mould without having to wade through bureaucracy and permits to try something new in the marketplace. Yet startups encounter onerous rules, regulations, and red tape, relics of a bygone era before innovations like ridesharing, broadband, medical apps, the sharing economy, Bitcoin, and online food delivery. Opponents of this bill warned of "food deserts" in places like Manchester and expressed concern that more stores might open up if this restriction is lifted. Public comment outside of the State House has been nearly unanimous in favor of repealing this byzantine rule. The N.H. Republican Platform calls to, "Remove barriers to business formation and encourage small businesses" and "Minimize business regulations, permits, licenses and paperwork."

Rep. Max Abramson

Free Chad Evans. There is justice in Heaven, and there is justice in Hell. Both are therefore a law abider's utopia's compared to this monstrosity that our taxpayers are compelled to prop up.

"The problem isn't that Johnny can't read. The problem isn't even that Johnny can't think. The problem is that Johnny doesn't know what thinking is; he confuses it with feeling." --Thomas Sowell
"It is better to take refuge in the Lord than to trust in man." --Psalms 118:8

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: October 26, 2021

LOB ROOM: 306 - 308

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Terry

Seconded by Rep. Potucek

Vote: 8-11

MOTIONS: REFER FOR INTERIM STUDY

Moved by Rep. Abramson

Seconded by Rep. Weston

Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Constance Van Houten, Acting Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

EXECUTIVE SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE:

LOB ROOM: 306 - 308

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # 8-11
- Interim Study (2nd year)
- (if offered)*

Moved by Rep. Terry Seconded by Rep. Polucek Vote: 8-11

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)*

Moved by Rep. Abramson Seconded by Rep. Wester Vote: 19-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____
- Interim Study (2nd year)
- (if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: _____ Motion _____

Respectfully submitted: _____
Rep Keith Ammon, Clerk
Van Dusen



2021 SESSION

Commerce and Consumer Affairs

Handwritten signature and initials

Bill #: LD 343 Motion: ITL AM #: _____ Exec Session Date: 10-26-21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Hunt, John B. Chairman	✓		✓
Potucek, John M. Vice Chairman	✓		✓
Osborne, Jason M. <i>Gagne</i>	✓		✓
Ammon, Keith M. Clerk	✓		✓
Abramson, Max		✓	✓
Ham, Bonnie D.		✓	✓
Depalma IV, Joseph	✓		✓
Greeson, Jeffrey	✓		✓
Johnson, Dawn M.	✓		✓
Terry, Paul A.	✓		✓
Bartlett, Christy D.		✓	✓
Abel, Richard M.		✓	✓
Herbert, Christopher J.		✓	✓
Van Houten, Constance		✓	✓
Fargo, Kristina M. <i>Laflamme</i>		✓	✓
Weston, Joyce		✓	✓
Beaulieu, Jane E.		✓	✓
Burroughs, Anita D.		✓	✓
McAleer, Chris R.		✓	✓
TOTAL VOTE:	8	11	19 0

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: October 12, 2021

Subcommittee Members: Reps. Hunt, Potucek, Greeson, Terry, Bartlett, Burroughs and Weston

Comments and Recommendations: Discuss amendment.

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Weston

Seconded by Rep. Bartlett

AM Vote: 3-4

Amendment # 2021-2179h

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Rep. Terry

Seconded by Rep. Rep. Greeson

Vote: 4-3

Respectfully submitted,

Rep. John Hunt
Subcommittee Chairman

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: October 12, 2021

Subcommittee Members: Reps. Hunt, Ammon, Greeson, Terry, Bartlett, Burroughs and McAleer
Weston

Comments and Recommendations:

Discuss amendment

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. Weston Seconded by Rep. Bartlett AM Vote: 3-4

Adoption of Amendment # 2179

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. Terry Seconded by Rep. Greeson AM Vote: 4-3

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

Respectfully submitted,

Rep. [Signature]
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: September 21, 2021

Subcommittee Members: Reps. Hunt, Greeson, Terry, Bartlett, McAleer, Abramson, Abel and Weston

Comments and Recommendations: Rep. Weston - Balance billing - Medicare and pay very low, reasonable compensation - Checks town balance. Rep. Hunt - Fire Chiefs opposed Balanced billing. Church K. Derry opposed only 5% of Derry use.

Respectfully submitted,

Rep. John Hunt
Subcommittee Chairman

HOUSE COMMITTEE ON COMMERCE AND CONSUMER AFFAIRS

SUBCOMMITTEE WORK SESSION on HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: September 21, 2021

Subcommittee Members: Reps. Hunt, Ammon, Greeson, Terry, Bartlett, Burroughs and McAleer

Abrahamson Weston Able

Comments and Recommendations:

Weston 1 Balance Bill Ban 2 medication pay very low reasonable compensation. 3 checks tax on busness
Hunt Fire checks opposed Balanced billing
Chuck Kasiorius Derry opposed only 5% of Derry use

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr) (Please circle one)

Moved by Rep. _____ Seconded by Rep. _____ AM Vote: _____

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr) (Please circle one)

Moved by Rep. _____ Seconded by Rep. _____ AM Vote: _____

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

Respectfully submitted,

Rep. [Signature] Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON Commerce and Consumer Affairs

BILL NUMBER: HB 343

BILL TITLE: relative to billing for ambulance services.

DATE: February 10, 2021

THE COMMITTEE HAS VOTED TO RETAIN THIS BILL.

Rep. Hunt, Chair



1/22/2021 9:55:55 AM
Roll Call Committee Registers
Report

2021 SESSION

Commerce and Consumer Affairs

Bill #: HB343 Motion: Retain AM #: _____ Exec Session Date: 2/10/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Hunt, John B. Chairman	11		
Potucek, John M. Vice Chairman	1		
Osborne, Jason M.	2		
Ammon, Keith M. Clerk	3		
Abramson, Max	4		
Ham, Bonnie D.	5		
Depalma IV, Joseph	6		
Greeson, Jeffrey	7		
Johnson, Dawn M.	8		
Terry, Paul A.	9		
Bartlett, Christy D.		1	
Abel, Richard M.	10		
Herbert, Christopher J.		2	
Van Houten, Constance		3	
Fargo, Kristina M.		4	
Weston, Joyce		5	
Beaulieu, Jane E.		6	
Burroughs, Anita D.		7	
McAlear, Chris R.		8	
TOTAL VOTE:	11	8	

HOUSE COMMITTEE ON COMMERCE & CONSUMER AFFAIRS

PUBLIC HEARING on Bill # HB343

BILL TITLE:

DATE: Feb 2, 2021

ROOM: Remote

Time Public Hearing Called to Order: 2:18 PM

Time Adjourned: 3:21 PM

(please bold if present)

Committee Members: Reps. Hunt, Potucek, Ammon, Osborne, Abramson, Ham, Depalma IV, Greeson, Johnson, Terry, Bartlett, Abel, Herbert, Van Houten, Fargo, Weston, Beaulieu, Burroughs and McAleer

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Joyce Reston

71% of ambulance rides are likely to generate a surprise bill with an average cost to patient of \$450. When you're in need of an ambulance, you have no choice of whether the ambulance is in or out of network. This bill bans this practice. Local governments provide most of the ambulance rides. Our property tax rates increase. This bill requires the commissioner to decide reasonable rate. There's a national movement to ban all surprise medical bills, the one omission was surprise ambulance billings. Several states have banned balance billing. We tried to keep this a simple bill. We didn't cover all the problems. Would like to come up with another bill to deal with other issues.

Tyler Brannen

NH Insurance Dept. No position on the bill but would be supportive of a legislative solution to balance billing. We receive lots of consumer complaints. The earlier bill dealt with surprise billing from out of network services even though the patient did what they were supposed to. That bill came out of a study committee that worked hard on the bill to avoid any kind of rate setting that's required by the state. One goal that Rep Kurk had was to have the department figure out what was commercially reasonable without giving too much information to the provider. Many of these ambulances are out of network, and they may petition the department at a much higher level.

Rep Greeson

Q: For chair, this bill has been around for eternity. How does this bill compare to previous version of the bill? Why pass it this time?

A: There was another study committee that dealt with a balance billing, they lifted most of the language from that bill, the problem is most ambulances are out of contract.

Q: Why aren't the ambulances in network?

A: They never were.

Chris Stawasz

Lifelong New Hampshire resident, Hollis. I'm currently employed by AMR, regional director. We employ over 200 licensed professional. Transport 40,000 patients annually. HB343 is no longer required because of new federal laws. We receive payment only when a patient is transported to a hospital. We have 24-hour readiness. No cost if we provide help to a patient at a scene but do not transport the patient. This bill would force all ambulance providers to become in-network. It would have an immediate and significant increase to local budgets. It's impossible to determine what a reasonable cost without data. Costs are different for different towns, remote, urban, rural, etc. The new federal SMB law requires. We believe if NH did not place duplicative or burdensome regulations and the compliance costs would need to be passed onto the customers. We have to pay for PPE requirements, employee quarantine requirements, we have reduced transport due to people restricting their movements.

Rep Abramson

Q: Do you have services that cross state lines?

A: Yes, they do.

Q: Would this bill have an impact in cases like that?

A: Difficult to say. It would add an additional layer that each ambulance provider would have to deal with. Many 911 providers are not in network with anyone because the amount in-network carriers are willing to pay don't meet the costs needed to operate.

Rep Burroughs

Q: There are not a lot of businesses that don't get paid for their services? Can you adjust the business model to adjust the ways you can get compensated?

A: It's not unlike emergency rooms. Most are under insured or uninsured. The ambulance service is different, we don't have the luxury to check insurance cards when we treat someone by the side of the road.

Q: My husband was emergency medical physician for many years. Do these EMT groups ever align with the hospitals?

A: In years past, hospitals divested from the ambulance company because they couldn't afford the ambulance company.

Rep Van Houten

Q: What is a "ground" ambulance?

A: I reference ground because the other side is "air" ambulance. Air is federally regulated.

Q: So the congressional bill would cover air and ground?

A: It does. There are two components of the bill.

Rep Hunt: So they are studying the ground component?

A: They have to complete a meaningful cost study, it's a crap shoot. My budget is too important to take a chance on my budget. Each community can write caps into out-of-pocket into their contracts. Nashua for example, has volume that allows for a price cap. We pay Manchester and Nashua several \$100,000 a year for dispatch services.

Rep Abel

Q: Do those cities license your services, can there be competition?

A: They require us several things, like national accreditation, that we have to abide by.

Natch Greyes

Attorney with NH Municipal Association. Good things in the bill: Our communities have universally said providing payments directly to the ambulance company instead of to the patient and expect them to pay the ambulance service. Concerns: Commercially reasonable language. Our communities don't own hospitals or operate emergency rooms. Concerns that the community runs an ambulance service and has disputes with insurance providers and constantly running to the Insurance Dept to mediate. Those are some of the concerns we have heard.

Don Pfundstein

Representing AHIP. We are pleased to support Rep Weston's bill as it relates to the prohibition on balanced billing. We support parties being reasonable in their charges and support the mechanism to settle disputes. We have issues with section 7. We'd be open to working on it with the sponsor. In order to cash a two-party check, the parties have to come to mutual agreement. We support the bill with the exception of section 7.

Justin Romanello

Chief of Bureau of EMS for NH. 300 licensed EMS units in NH. Half are transport services with an ambulance. Of those 167ish departments, 2/3rds are municipal based services. With about 45ish are hospital-based or a private ambulance service. There is only one service that doesn't bill its residents but it is a municipal service. Not billing for services other than transports, they're providing life saving functions but never bill for their services.

Chuck Hemeon

Opposes bill. I agree in lockstep with Chris Stawasz. EMS director for Derry fire department. I'm responsible for billing. Residents ask, why don't taxes cover our bill. 95% of our residents do not use our services. It's more of a user fee because only 5% of the people use it. Our current payer mix, 60% of our residents have Medicare. Medicare provides 80% and patient pays 20%. Next payer group is Medicaid, they pay a small fraction. 20% have commercial insurance. We tried to negotiate with Anthem but they refused. I'm in opposition to this bill. The town of Derry is opposed to the bill.

Jeffrey Spencer

Runs Medical Business Services. I'm in Vermont, not NH. I've been in EMS since 1978. I was out there in the field in VT and NH. I was assistant AG in NH. Involved in Fire Academy. I'm trained as a lawyer. Nine years ago, I saw the need for a billing company. We have billed 600,000 calls since we started. This is all I do, dealing with the things you're talking about. I think this problem can be solved, but this bill only starts the process. If everyone understood the realities, the solution would become clear. There are a few non-profit ambulances and municipal services that are taxpayer funded. In the end, we're talking about the taxpayers. Every one of our customers loses money on every call and have to go to taxpayers for subsidies. The losses get transferred to the taxpayers. The rates that are charged today do not cover costs. Ambulance services are not gouging people. The rates are probably too low. There's no cost shifting in EMS. The Medicaid reimbursement rate is \$2.60 / mile. That doesn't even cover the cost to get the ambulance to the patient. A lot of insurance providers are reducing prices unilaterally and the patient ends up eating the difference. 45 parallel's rates are astronomically high. They're serving a territory the size of Rhode Island. Looking at what everyone else is paying as a methodology just isn't going to work. There is a solution. I don't have a real stake in this. I'm happy to work with Mr. Brannen and Municipal Association. I believe the methodology, if we want to protect patient and taxpayer, we need to make sure the billing rate covers costs. I'm opposed the bill in its form, but I still think there are some issues.

Jerry Stringham

Former State Rep from Lincoln, Woodstock, NH. Lynwood ambulance asked me to express concerns about this bill. Rural ambulance services would be hurt by this bill. They have no leverage with insurers and are too small a player for the insurance commissioner to be of much help.

Justin Van Etten

Holderness, NH. Head of Stewarts Ambulance. HQ in NH for 40 years. Our corporate policy, we do not balance bill unless copays. In order to not balance bill we had to double what we charge up front. I have concerns about the power this would hand to insurance companies. Insurance companies are required to have a number of physicians, eye doctors, etc. They don't have that requirement for ambulance companies. No requirements of network adequacy. I work in urban and rural areas. Rural areas costs me \$1100 per patient transport. In urban areas it costs \$300 per patient transport. I can understand the challenges of balance billing. Two suggestions: 1) It shouldn't be just the insurance commissioner's prerogative. Should also include the department of safety. 2) Put in a provision to require insurers to have some level of adequacy throughout the state. If you require them to have a network they'll come to the table.

Rep Hunt: You're really balance billing the towns.

A: Correct. The taxpayers are balance billing it. Some towns have the volume and don't require a subsidy.

David Tauber

Chief of Lynwood Ambulance. 30 year resident of Conway. I used to work with Dr. Boroughs. There is a huge disparity between the cost of service and the various services in the state. I'm concerned with insurance companies have the power to sets the rates. We are a huge tourist town; we often can't collect from tourists from out of state because the insurance companies pay the patient and they just

pocket it. We are a non-profit and don't have the volume for something like AMR. We have huge concerns about a bill like this.

House Remote Testify

Commerce and Consumer Affairs Committee Testify List for Bill HB343 on 2021-02-02

Support: 4 Oppose: 0 Neutral: 0 Total to Testify: 2

Name	Email Address	Phone	Title	Representing	Position	Testifying	Signed Up
Van Etten, Justin	justin.vanetten@gmail.com	415.218.8297	A Member of the Public	Stewart's Ambulance	Neutral	Yes (5m)	2/1/2021 6:45 PM
Greyes, Natch	ngreyes@nhmunicipal.org	603.224.7447	A Lobbyist	New Hampshire Municipal Association	Neutral	Yes (2m)	2/1/2021 11:43 AM
stawasz, christopher	cstawasz@gmr.net	603.494.5001	A Member of the Public	Myself	Oppose	Yes (0m)	1/29/2021 12:04 PM
Brannen, Tyler	tyler.j.brannen@ins.nh.gov	2712396	State Agency Staff	Insurance Department	Neutral	Yes (0m)	1/29/2021 2:26 PM
Sullivan, Thomas	Errolvacatnhome@aol.com	603.883.3563	A Member of the Public	Myself	Oppose	No	1/29/2021 2:38 PM
hodsdon, michael	miketunes@comcast.net	603.943.0254	A Member of the Public	Myself	Oppose	No	1/29/2021 4:13 PM
Delier, Richard	rjdelier63@gmail.com	603.320.6521	A Member of the Public	Myself	Oppose	No	1/29/2021 4:48 PM
Cotter, Petra	petra.cotter@ymail.com	603.703.9603	A Member of the Public	Myself	Oppose	No	1/29/2021 4:52 PM
Maier, Kevin	gcs5@comcast.net	5572246	A Member of the Public	Myself	Oppose	No	1/29/2021 5:47 PM
Fordey, Nicole	nikkif610@gmail.com	516.318.2296	A Member of the Public	Myself	Support	No	1/29/2021 6:19 PM
Eno, Larry	spartanmedic@protonmail.com	603.883.6928	A Member of the Public	Myself	Oppose	No	1/29/2021 7:37 PM
Abbott, Caroline	carrie.abbott@comcast.net	603.438.9665	A Member of the Public	Myself	Oppose	No	1/29/2021 8:36 PM
Lenz, James	jlenz@alumni.duke.edu	603.469.3402	A Member of the Public	Myself	Support	No	1/30/2021 4:47 PM
Greenough, Glen	gcgreenough91@gmail.com	603.469.3890	A Member of the Public	Myself	Support	No	1/30/2021 5:14 PM
Oxenham, Evan	evan.oxenham@gmail.com	603.727.9368	A Member of the Public	Myself	Support	No	1/30/2021 4:13 PM
Oxenham, Lee	leeoxenham@comcast.net	603.727.9368	An Elected Official	Sullivan Co., District 1	Support	No	1/30/2021 4:26 PM
Lenz, Elaine	eglenn@comcast.net	603.469.3402	A Member of the Public	Myself	Support	No	1/30/2021 4:30 PM
Wallner, Mary Jane	MJWallnernih@gmail.com	603.608.9636	An Elected Official	Myself	Support	No	1/30/2021 4:33 PM
Alexander, Christine	calex8@gmail.com	603.229.2284	A Member of the Public	Myself	Support	No	1/30/2021 4:35 PM
Pedersen, Michael	PedersenUSA@aim.com	603.801.0878	An Elected Official	Hillsborough 32	Support	No	1/30/2021 4:39 PM
Vail, Suzanne	Suzanne.vail@leg.state.nh.us	603.234.0704	An Elected Official	Hillsborough County 30	Support	No	1/30/2021 5:30 PM
Richards, Martha	maplerichards@gmail.com	603.536.2279	A Member of the Public	Myself	Support	No	1/30/2021 5:31 PM
Fellows, Sallie	sallie.fellows@leg.state.nh.us	603.271.3600	An Elected Official	Myself	Support	No	1/30/2021 5:53 PM
Steel, Sandy	selizabethsteel@gmail.com	603.469.3927	A Member of the Public	Myself	Support	No	1/30/2021 7:35 PM
Taylor, Frances	flht5@juno.com	603.968.3846	A Member of the Public	Myself	Support	No	1/30/2021 8:11 PM
Bouldin, Amanda	amanda.bouldin@leg.state.nh.us	603.494.8689	An Elected Official	Hillsborough District 12	Support	No	1/30/2021 10:50 PM
Bouldin, Andrew	andrew.bouldin@leg.state.nh.us	603.397.7526	An Elected Official	Hillsborough District 12	Support	No	1/30/2021 10:52 PM

2/2/2021

House Remote Testify

Josephson, Timothy	timjosephson4nh@gmail.com	603.709.4845	A Member of the Public	Myself	Support	No	1/31/2021 10:58 AM
Bouchard, Donald	donaldbouchard@gmail.com	603.622.0388	An Elected Official	Myself	Support	No	1/31/2021 11:30 AM
Perez, Maria	mariaeli63@gmail.com	603.801.7867	An Elected Official	District 23	Support	No	1/31/2021 11:41 AM
King, Mark	Mark.king@leg.state.nh.us	603.998.2400	An Elected Official	Myself	Support	No	1/31/2021 11:57 AM
Hunnewell, Anne	ahunne@roadrunner.com	603.536.4015	A Member of the Public	Myself	Support	No	1/31/2021 12:12 PM
Leavitt-Grossman, Ellen	bitch3472@yahoo.com	603.801.7650	A Member of the Public	Myself	Oppose	No	1/31/2021 12:29 PM
Baldwin, Gunnar	gunnar.baldwin@roadrunner.com	603.707.6896	A Member of the Public	Myself	Support	No	1/31/2021 12:34 PM
Hage, Richard	Dhage@plymouth.edu	603.536.3687	A Member of the Public	Myself	Support	No	1/31/2021 2:39 PM
McLane, Douglas	mclanedouglas@hotmail.com	603.398.2827	A Member of the Public	Myself	Support	No	1/31/2021 9:12 PM
Wazir, Safiya	s.wazir@leg.state.nh.us	603.333.0594	An Elected Official	My Constituents	Support	No	1/31/2021 9:20 PM
spencer, michelle	kikinboots@gmail.com	603.264.3490	A Member of the Public	Myself	Oppose	No	2/1/2021 5:50 AM
Prentiss, Senator Sue	Suzanne.Prentiss@leg.state.us	603.381.9195	An Elected Official	Myself	Oppose	No	2/1/2021 7:03 AM
Rich, Cecilia	cecilia.rich@leg.state.nh.us	603.380.8679	An Elected Official	Myself	Support	No	2/1/2021 8:17 AM
Joyce, Ellen	ejoyce1961@gmail.com	603.558.1961	A Member of the Public	Myself	Support	No	2/1/2021 9:35 AM
Bachand, Toni	rscume849@yahoo.com	603.867.1964	A Member of the Public	Myself	Oppose	No	2/1/2021 10:49 AM
Pageau, Joan	joan@nhaia.com	603.224.3965	A Lobbyist	NH Association of Insurance Agents	Support	No	2/1/2021 11:32 AM
Giarrusso, Rachel	coffeequeen236@yahoo.com	603.318.4381	A Member of the Public	Myself	Oppose	No	1/29/2021 12:45 PM
Maier, Kimberly	isnitty@comcast.net	603.438.4860	A Member of the Public	Myself	Oppose	No	1/29/2021 12:48 PM
Richards, Abigail	atozrichards25@outlook.com	603.851.0724	A Member of the Public	Myself	Oppose	No	1/29/2021 12:58 PM
Heffernan, Daniel	antrimff24@hotmail.com	603.588.2223	A Member of the Public	Myself	Oppose	No	1/29/2021 12:59 PM
Preston, Jason	Defibril8@gmail.com	603.759.3615	A Member of the Public	Myself	Oppose	No	1/29/2021 1:00 PM
Gillis, Stacy	Sgillis558@yahoo.com	603.793.3511	A Member of the Public	Myself	Oppose	No	1/29/2021 1:11 PM
Howarth, Eric	Erichowarth@outlook.com	603.703.9657	A Member of the Public	Myself	Oppose	No	1/29/2021 1:22 PM
Giarrusso, Christopherjon	cjemt@hotmail.com	603.852.2127	A Member of the Public	Myself	Oppose	No	1/29/2021 1:51 PM
Cushing, Robyn	lrcushing@outlook.com	603.340.5204	A Member of the Public	Myself	Oppose	No	1/29/2021 1:55 PM
Cerbone, Matt	Mcerbone2013@outlook.com	603.313.6895	A Member of the Public	Myself	Oppose	No	1/29/2021 2:18 PM
freeman, lynn	lef285@gmail.com	603.469.3260	A Member of the Public	Myself	Support	No	2/1/2021 11:55 AM
McGraw, David	dcmcgraw@myfairpoint.net	603.726.3325	A Member of the Public	Myself	Support	No	2/1/2021 1:29 PM
Murphy, Hon. Nancy	murphy.nancya@gmail.com	603.424.0254	A Member of the Public	Myself	Support	No	2/1/2021 1:49 PM
Lucas, Janet	janluca1953@gmail.com	603.726.7614	A Member of the Public	Myself	Support	No	2/1/2021 1:53 PM
Frost, Sherry	sherry.frost@leg.state.nh.us	978.255.3924	An Elected Official	Myself	Support	No	2/1/2021 2:28 PM
Bolton, William	Wbolton@live.com	603.236.1812	A Member of the Public	Myself	Support	No	2/1/2021 3:54 PM
Lane, Connie	connie.lane@leg.state.nh.us	603.491.7379	An Elected Official	Merrimack 12	Support	No	2/1/2021 6:34 PM
Thomas, Nicholas	nicholas.w.thomas@uconn.edu	734.355.3870	A Member of the Public	Myself	Oppose	No	2/1/2021 7:19 PM
Bixby, Peter	peterbixbynhhouse@comcast.net	603.749.5659	An Elected Official	Myself	Support	No	2/1/2021 8:39 PM
Rathbun, Eric	ericsrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Support	No	2/1/2021 9:44 PM

2/2/2021

House Remote Testify

Prentiss, Suzanne	suzanne.prentiss@leg.state.nh.us	603.271.3092	An Elected Official	Senate District 5	Oppose	No	2/2/2021 7:27 AM
Dunlap, Sabrina	sabrina.dunlap@anthem.com	603.703.8073	A Lobbyist	Anthem	Neutral	No	2/2/2021 8:01 AM
Mangipudi, Latha	Latha.mangipudi@leg.state.nh.us	603.891.1239	An Elected Official	Hills 35	Support	No	2/2/2021 8:05 AM
hodsdon, lori	lahodsdon@comcast.net	603.943.0197	A Member of the Public	Myself	Oppose	No	2/2/2021 8:31 AM
Wied, Alex	gencourt.nh@centromere.net	603.674.6202	A Member of the Public	Myself	Oppose	No	2/2/2021 10:18 AM
Donahue, Nancy	Nancyd114@roadrunner.com	603.536.1270	A Member of the Public	Myself	Support	No	2/2/2021 10:35 AM
Jack, Roy	r-jack@comcast.net	603.566.5985	A Member of the Public	Myself	Oppose	No	2/2/2021 10:53 AM
Gericke, Carla	carlagericke@gmail.com	917.607.4353	A Member of the Public	Myself	Oppose	No	2/2/2021 11:12 AM


Archived: Tuesday, April 13, 2021 2:57:44 PM
From: Rich Delier
Sent: Friday, January 29, 2021 5:41:17 PM
To: ~House Commerce Committee
Subject: House Bill 343
Importance: Normal

Dear House Representative,


Regarding House Bill 343, Please do NOT support the passing of such a bill as myself and a majority of my fellow EMS workers are opposed to such legislation. This bill would clearly provide less reimbursement revenue to the many EMS organizations in the State of NH who are already struggling to balance payroll budgets . I have been in EMS as a paramedic for nearly 30 years and have regularly struggled to provide adequate income for my family without working extra hours, due to poor wages. I work amongst my fellow EMT coworkers, who many of which currently make on an average hourly rate of below \$15/hr to save the lives of our States residents. I myself have already been living off of the same income over the past six years without an increase in wages as my organization is already pressed financially to compensate me further for what I deserve. EMS workers are opposed to such legislation as our employers already struggle to pay us the fair wages which we deserve.

PLEASE VOTE NO to HB343 and allow the career level providers who have the front lines of our Emergency Medical Services to provide an adequate income to support our families.

Sincerely,
Richard J Delier
NH EMS Paramedic provider #13895

Archived: Tuesday, April 13, 2021 2:59:13 PM
From: Joyce Weston
Sent: Wednesday, February 3, 2021 3:27:01 PM
To: ~House Commerce Committee
Subject: HB 343 introductory testimony
Importance: Normal
Attachments:
HN 343 intro testimony.pdf 

Rep. Joyce Weston
she/her/hers
Plymouth, Holderness, Hebron
joyce.weston@leg.state.nh.us
603-276-0862

Archived: Tuesday, April 13, 2021 2:59:13 PM
From: Brent T. Lemire, Executive Director
Sent: Tuesday, February 2, 2021 11:30:36 AM
To: ~House Commerce Committee
Cc: NHAFC; Ken Jones; Kirk Beattie; mwsitar@tnfd.org; Adam Schmidt
Subject: Letter For Hearing on HB 343
Importance: Normal
Attachments:
NHAFC Letter to House Commerce Committee on Ambulance Billing 2021.pdf 

Please accept the following letter with our comments on HB 343.

Brent T. Lemire, MPA
Executive Director, New Hampshire Association of Fire Chiefs
547 Charles Bancroft Hwy.
Litchfield, New Hampshire 03052
www.nhafc.org
(603) 424-4911

Archived: Tuesday, April 13, 2021 2:59:14 PM
From: Stawasz, Chris
Sent: Friday, January 29, 2021 12:23:51 PM
To: ~House Commerce Committee
Subject: HB 343
Importance: Normal
Attachments:
NH HB 343 Committee Letter.pdf ;

Hello –

Please see the attached document in OPPOSITION of HB 343. Thank you for your time and for what you do!

Chris Stawasz

Northeast Regional Director of Government Affairs

380 West Hollis St Nashua, NH 03060

C: 603.494.5001 | F: 603.598.9403

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Archived: Tuesday, April 13, 2021 2:59:14 PM
From: Anne Hunnewell
Sent: Sunday, January 31, 2021 12:19:18 PM
To: ~House Commerce Committee
Subject: HB 343
Importance: Normal

Dear Committee Members,

When a person needs an ambulance, all they can think of is getting their loved one help ASAP. People should never be charged a surprise bill after all the emotional stress they have been through because they needed an ambulance in the first place.

Thank you for your attention to this important matter.

Anne Hunnewell
95 Heritage Hill Rd.
Holderness

Archived: Tuesday, April 13, 2021 2:59:14 PM
From: Rich Delier
Sent: Friday, January 29, 2021 5:41:17 PM
To: ~House Commerce Committee
Subject: House Bill 343
Importance: Normal

Dear House Representative,

Regarding House Bill 343, Please do NOT support the passing of such a bill as myself and a majority of my fellow EMS workers are opposed to such legislation. This bill would clearly provide less reimbursement revenue to the many EMS organizations in the State of NH who are already struggling to balance payroll budgets . I have been in EMS as a paramedic for nearly 30 years and have regularly struggled to provide adequate income for my family without working extra hours, due to poor wages. I work amongst my fellow EMT coworkers, who many of which currently make on an average hourly rate of below \$15/hr to save the lives of our States residents. I myself have already been living off of the same income over the past six years without an increase in wages as my organization is already pressed financially to compensate me further for what I deserve. EMS workers are opposed to such legislation as our employers already struggle to pay us the fair wages which we deserve.

PLEASE VOTE NO to HB343 and allow the career level providers who have the front lines of our Emergency Medical Services to provide an adequate income to support our families.

Sincerely,
Richard J Delier
NH EMS Paramedic provider #13895

Joyce Weston's Testimony on HB 343
Commerce 2/2/21, 2:15pm

Chairman Hunt, Commerce, thank you for the opportunity to introduce this bill. For the record, my name is Joyce Weston, and I represent the towns of Hebron, Holderness, and Plymouth.

This bill deals with the problem of surprise billing — a “balance bill” after an ambulance ride. A study from Brigham and Women’s Hospital in Boston found that **71 percent** of ambulance rides are likely to generate a surprise bill, with an average cost to the patient of \$450. Ambulances have the highest out-of-network billing rate of any medical specialty.

But when you are in need of an ambulance, you don’t have the capacity to choose whether the ambulance is in — or out — of your network. And you probably have no choice about whether to accept the ride at all. But you could be hit with a substantial bill, creating additional hardship — both financially and emotionally — on top of the injury or illness.

This bill bans that practice.

In New Hampshire, local governments, supported by property taxes, provide the majority of emergency ambulance rides via fire departments or stand-alone rescue squads. This cost is a huge burden to our small towns and adds to our high property tax rate. This is because the reimbursement rates offered in contract negotiations with insurance providers are woefully inadequate. This bill requires the insurance carriers to offer a *commercially reasonable* payment. If there is a dispute, the NHID Commissioner will determine if the fee is appropriate, **with consideration of the higher costs in rural communities.**

Reimbursement payments aside, there is a nationwide move against balance billing. In December 2020, Congress passed legislation to ban surprise **all** medical bills . . . with one notable exception — ground ambulances. In response to this omission, several states are trying to filling the gap through legislation. Maryland and Colorado have added ambulances to their surprise billing ban. The Department of Insurance in Texas has recommended it. New York and Illinois have a similar bill. In Colorado, insurers are now required to pay private ambulances 325 percent of the Medicare rate.

And finally, Medicare, which does ban balance billing but has absurdly low reimbursement rates, is currently reviewing its payment rates under pressure from Congress. But it is an abysmally slow process. The analysis alone will take years.

In the process of working on this bill, I have talked to a lot of interested parties and am very aware that ambulance services are underfunded and are worried about a loss of revenue. You will hear testimony on that, I am sure. I think it is important for you to know that, in the interest of keeping it simple in a difficult year, we decided to focus this year on the consumer protection aspect of this problem — balance billing. There is more work to be done in finding ways to provide small rural areas with adequate ambulance coverage, and I am assembling a team of qualified folks to help with that issue for 2022.

Meanwhile, we have been working on the ambulance issue for over a decade with several bills and several study committees. This bill does is not comprehensive but it takes an important step.

January 29, 2021

The NH House of Representatives
Commerce & Consumer Affairs Committee
107 N Main Street
Concord, NH 03033

RE: NH HB 343

Dear Committee Members:

American Medical Response (AMR) is the largest provider of 9-1-1 emergency medical services (EMS) in the State of New Hampshire. We employ over 200 licensed NH EMS providers operating from multiple different locations through the Granite State and transport over 40,000 patients annually. We share the legislative goal of providing our customers with the necessary information to make informed decisions about their health care choices. We believe that NH House Bill 343 is no longer required or in the public interest due to the recent passage of federal Surprise Medical Billing legislation (SMB).

All emergency medical service providers have a legal duty to respond to emergency requests for service regardless of a patient's ability to pay. That applies to municipal providers like fire departments, commercial providers like us and volunteer providers as well. NH EMS providers generally receive payment only when a patient is transported to a hospital. We are not reimbursed for our 24/7 readiness, our response, or even for the care provided to patients at a scene unless we also transport that patient to a hospital. Nearly one-third of emergency ambulance responses do not result in a patient transport – meaning EMS has no ability to bill for those services but still bears the cost to provide the services 24/7.

Passage of this bill will essentially force all NH EMS providers to immediately be 'in network' with all commercial insurance carriers without any factual justification of what a commercially reasonable value for the services they individually provide is. This would have an immediate and likely devastating impact on numerous municipal budgets across the state as the badly needed revenue that so many NH cities and towns depend on to fund their local EMS systems would likely suddenly drop.

The Centers for Medicare & Medicaid Services (CMS) recently instituted a national mandatory cost study for all ground EMS providers beginning this year with 20% of all ambulance service providers enrolled annually in the study each year for the next five years. We would suggest in the absence of meaningful cost data it is impossible to determine what a commercially reasonable value for service truly is especially given the complex nature of New Hampshire's demographics. The cost of 24/7 readiness for an ambulance provider in Berlin for instance varies significantly from what the cost of readiness would be in Concord.

While NH House Bill 343 makes excellent attempts to find solutions and we agree that patients should be held harmless whenever possible, the United States Congress recently passed and the President signed, a federal SMB law that we believe potentially usurps NH House Bill 343. The new federal SMB law requires, among other things, the creation of a national ground EMS advisory group who are charged with determining the safest and fairest path possible for equitable payments to ground ambulance services nationwide. The advisory committee is required to report solutions back to the US Congress within six (6) months.

It would be better for patients if the State of New Hampshire did not place duplicative or burdensome regulations on its EMS providers. These additional state compliance costs will inevitably have to be passed on to the citizens of New Hampshire and may, in the end, conflict with the newly passed federal SMB law.

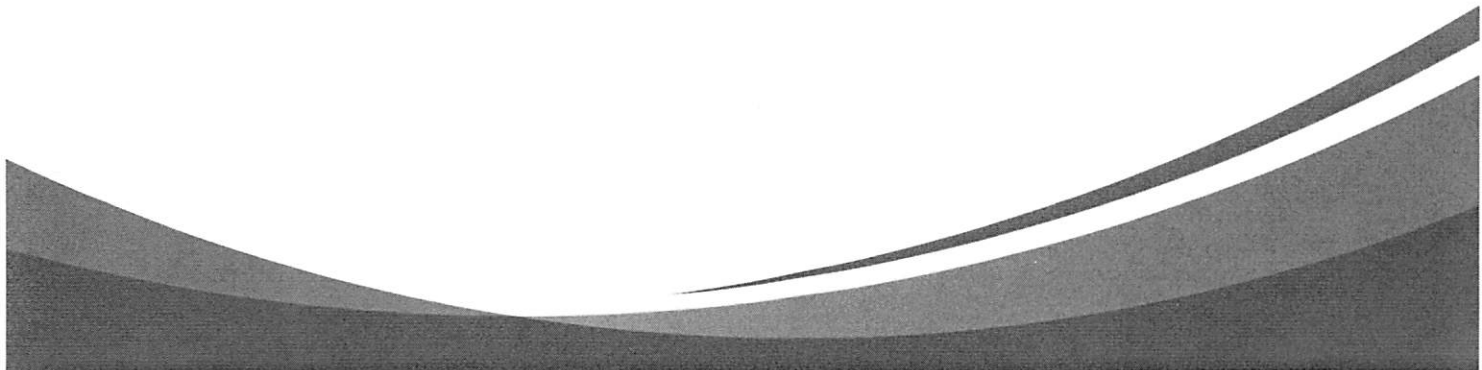
Even more pressing is a national emergency stretching EMS to its limits, especially in the state of New Hampshire which continues to struggle with the ongoing opioid epidemic as well as a worldwide pandemic. Ambulance services are a critical part of the frontline of defense for the COVID-19 pandemic. As a profession our expenses have climbed significantly due to increased PPE requirements, paying employees through required quarantine time and their own illness time. Our revenues have dropped dramatically due to lower call volume as people restrict their movements and delay seeking medical care.

Adding additional state legislative requirements now potentially puts the continued viability of many EMS providers throughout the state at risk during a time when we can least afford to do so. We respectfully ask that in the public interest you find this bill inexpedient to legislate and allow the new federal SMB law to address this issue.

Respectfully,



Christopher H. Stawasz
Regional Director, New Hampshire & Maine
Northeast Regional Director of Government Affairs
603.494.5001
Cstawasz@gmr.net





NEW HAMPSHIRE ASSOCIATION OF FIRE CHIEFS, INC.

Working Together to Make a Difference

547 Charles Bancroft Hwy.

Litchfield, NH 03052

www.nhafc.org

Email: nhfirechiefs@gmail.com

February 2, 2021

Commerce Committee
NH House of Representatives
State House
Concord, NH 03301

Dear Chairman Hunt and Members of the House Commerce Committee:

I write to you as the President of the New Hampshire Association of Fire Chiefs (NHAFC). I also serve as the Fire Chief in the town of Meredith. The NHAFC provides leadership, education and advocacy for the NH Fire Service.

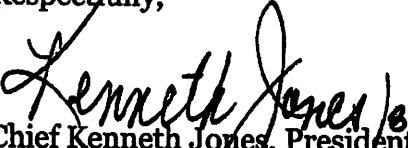
Initially, we would like to thank Representative Weston for her willingness to speak with us prior to the hearing on HB 343 -relative to billing for ambulance services. We had the opportunity to discuss the challenges that municipally based ambulance service providers face. It was clear from our conversation that she is invested in this issue and is working to protect consumers. We appreciate her time and consideration of our concerns.

The NHAFC believes that HB 343 does not address all the issues associated with the financing of the provision of ambulance services. It is intended to protect consumers by curbing the practice of balance billing. This would help control out of pocket expenses for individuals, however, it would not address how providers of ambulance services would ensure they would recoup this lost revenue. Please remember that municipal ambulance service provided by a local fire department does not attempt to generate revenue through balance billing. Rather, we attempt to recover some costs associated with the provision of services. Our goal is not to seek profit. To that end, many communities provide an opportunity for an individual to demonstrate a hardship in order to have a balance waived. It is important to remember that any individual who is covered by Medicaid or Medicare cannot receive a balance bill. Any loss of revenue from the current available billing practices would likely be made up by increases in local property taxes. Our departments will continue to provide the services, it is just a matter of how we can offset a portion of our costs, either by an individual and their private insurance carrier or by all property tax payers in the community.

Moving forward, the NHAFC would prefer to see legislation that both ensures consumers were protected and that providers had more certainty regarding their reimbursement levels. The proposed language in HB 343 does not provide the certainty we believe is necessary to adequately ensure that our costs are reimbursed by private payors. Without this certainty, we cannot support HB 343 since we believe it addresses only half of the issues associated with the provisions of ambulance service.

I apologize I was unable to attend today's hearing but we wanted to be sure the Committee was aware of our concerns. Please contact me with any questions.

Respectfully,


Chief Kenneth Jones, President
New Hampshire Association of Fire Chiefs

HB 343 - AS INTRODUCED

2021 SESSION

21-0413
05/10

HOUSE BILL **343**

AN ACT relative to billing for ambulance services.

SPONSORS: Rep. Weston, Graf. 8; Rep. Luneau, Merr. 10; Rep. Marsh, Carr. 8

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill prohibits balance billing for ambulance services under the managed care law and requires insurers to reimburse ambulance providers directly.

.....

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to billing for ambulance services.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Emergency Medical and Trauma Services; Definition of Private Safety
2 Agency. Amend RSA 153-A:2 by inserting after paragraph XVI-a the following new paragraph:

3 XVI-b. "Private safety agency" means a private entity which provides emergency police, fire,
4 ambulance, or medical services.

5 2 New Paragraph; Emergency Medical and Trauma Services; Definition of Public Safety Agency.
6 Amend RSA 153-A:2 by inserting after paragraph XVIII the following new paragraph:

7 XVIII-a. "Public safety agency" means a functional division of a public agency which
8 provides firefighting, law enforcement, ambulance, medical, rescue or other emergency services.

9 3 New Section; Emergency Medical and Trauma Services; Ambulance Billing; Payment for
10 Reasonable Value of Services; Prohibition of Balance Billing. Amend RSA 153-A by inserting after
11 section 20-a the following new section:

12 153-A:20-b Ambulance Billing; Payment for Reasonable Value of Services, Prohibition of
13 Balance Billing.

14 I. When a commercially insured patient is covered by a managed care plan, as defined under
15 RSA 420-J:3, XXV, a private safety agency or public safety agency shall not bill the patient for fees
16 or amounts other than copayments, deductibles, or coinsurance, if the service is covered under the
17 patient's health insurance plan.

18 II. Pursuant to paragraph I, fees for ambulance services submitted to an insurance carrier
19 for payment shall be limited to a commercially reasonable value, based on payments for similar
20 services from New Hampshire insurance carriers to New Hampshire ambulance providers.

21 III. In the event of a dispute between a provider and an insurance carrier relative to the
22 reasonable value of a service under this section, the insurance commissioner shall have exclusive
23 jurisdiction under RSA 420-J:8-f to determine if the fee is commercially reasonable. The provider
24 and the insurance carrier shall each make best efforts to resolve any dispute prior to applying to the
25 insurance commissioner for resolution, which shall include presenting to the other party evidence
26 supporting its contention that the fee level it is proposing is commercially reasonable. The
27 department of insurance may require the parties to engage in mediation prior to rendering a
28 decision.

29 4 New Section; Managed Care Law; Reasonable Value of Ambulance Services. Amend RSA 420-
30 J by inserting after section 8-f the following new section:

HB 343 - AS INTRODUCED

- Page 2 -

1 420-J:8-g Reasonable Value of Ambulance Services. In the event of a dispute between a health
2 care provider and an insurance carrier relative to the reasonable value of a service under RSA
3 415:27, the commissioner shall have exclusive jurisdiction to determine if the fee is commercially
4 reasonable, with consideration of the actual, often higher costs of the service in rural communities.
5 Either the provider or the insurance carrier may petition for a hearing under RSA 400-A:17. The
6 petition shall include the appealing party's evidence and methodology for asserting that the fee is
7 reasonable, and shall detail the efforts made by the parties to resolve the dispute prior to petitioning
8 the commissioner for review.

9 5 New Subparagraph; Managed Care Law; Rulemaking. Amend RSA 420-J:7, II by inserting
10 after subparagraph (e) the following new subparagraph:

11 (f) Carriers shall offer an ambulance service provider a commercially reasonable
12 payment, including ambulance services provided through the 911 service.

13 6 Report. The insurance commissioner shall make a report on or before July 1, 2022 detailing
14 the impact of RSA 153-A:20-b as inserted by section 3 of this act and RSA 420-J:8-f as inserted by
15 section 4 of the act on health insurance premium rates to the chairpersons of the house and senate
16 committees having jurisdiction over insurance issues.

17 7 Reimbursement for Ambulance Service Providers; Individual. Amend RSA 415:6-q to read as
18 follows:

19 415:6-q Reimbursement for Ambulance Service Providers. Each insurer that issues or renews
20 any individual policy, plan, or contract of accident or health insurance that constitutes health
21 coverage under RSA 420-G:2, IX, and that provides benefits for medically necessary ambulance
22 services shall reimburse the ambulance service provider directly, ~~[or by a check payable to the~~
23 ~~insured and the ambulance service provider]~~ subject to the terms and conditions of the policy, plan,
24 or contract. Nothing in this section shall preclude an insurer from negotiating with and
25 subsequently entering into a contract with a non-participating ambulance provider that establishes
26 rates of reimbursement for emergency medical services.

27 8 Reimbursement for Ambulance Service Providers; Group. Amend RSA 415:18-v to read as
28 follows:

29 415:18-v Reimbursement for Ambulance Service Providers. Each insurer that issues or renews
30 any policy of group or blanket accident or health insurance that constitutes health coverage under
31 RSA 420-G:2, IX, and that provides benefits for medically necessary ambulance services shall
32 reimburse the ambulance service provider directly, ~~[or by a check payable to the insured and the~~
33 ~~ambulance service provider]~~ subject to the terms and conditions of the policy, plan, or contract.
34 Nothing in this section shall preclude an insurer from negotiating with and subsequently entering
35 into a contract with a non-participating ambulance provider that establishes rates of reimbursement
36 for emergency medical services.

37 9 Effective Date. This act shall take effect January 1, 2022.