

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 456
Mar 19, 2025
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10206-MRa-66

Short Title: No Surprises for Ambulance Services Act. (Public)

Sponsors: Representative von Haefen.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE HEALTH INSURANCE COVERAGE OF GROUND AMBULANCE
3 SERVICE MORE EQUITABLE AND THE COST-SHARING REQUIREMENTS MORE
4 TRANSPARENT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1.(a) G.S. 58-3-190 reads as rewritten:

7 "§ 58-3-190. Coverage required for emergency care.

8 (a) Every insurer shall provide coverage for emergency services to the extent necessary
9 to screen and to stabilize the person covered under the plan or to transport the covered person to
10 a medically appropriate location for screening and stabilization and shall not require prior
11 authorization of the services if a prudent layperson acting reasonably would have believed that
12 an emergency medical condition existed. Payment of claims for emergency services shall be
13 based on the retrospective review of the presenting history and symptoms of the covered person.

14 (b) With respect to emergency services provided by a health care provider who is not
15 under contract with the insurer, the services shall be covered ~~if~~ if any of the following criteria are
16 met:

- 17 (1) A prudent layperson acting reasonably would have believed that a delay would
18 worsen the ~~emergency~~, or emergency.
19 (2) The covered person did not seek services from a provider under contract with
20 the insurer because of circumstances beyond the control of the covered person.
21 (3) The covered person did not have a choice in the ground ambulance
22 transportation service provider due to the emergency.

23 ...

24 (d) Coverage of emergency services ~~shall~~ may be subject to coinsurance, co-payments,
25 and deductibles applicable under the health benefit plan. An insurer shall not impose cost-sharing
26 for emergency services provided under this ~~section~~ section, including emergency ambulance
27 transportation services, that differs from the cost-sharing that would have been imposed if the
28 physician or provider furnishing the services were a provider contracting with the insurer.

29 ...

30 (f) Insurers shall provide information to their covered persons on all of the following:

- 31 (1) Coverage of emergency medical services.
32 (2) The appropriate use of emergency services, including the use of the "911"
33 system and other telephone access systems utilized to access prehospital
34 emergency services.
35 (3) Any cost-sharing provisions for emergency medical services.



- 1 (4) The process and procedures for obtaining emergency services, so that covered
 2 persons are familiar with the location of in-plan emergency departments and
 3 with the location and availability of other in-plan settings at which covered
 4 persons may receive medical care.
- 5 (g) ~~As used in this section, the term:~~ The following definitions apply in this section:
- 6 (1) ~~"Emergency medical condition" means a condition. – A medical~~
 7 condition manifesting itself by acute symptoms of sufficient severity,
 8 including, but not limited to, severe pain, or by acute symptoms developing
 9 from a chronic medical condition that would lead a prudent layperson,
 10 possessing an average knowledge of health and medicine, to reasonably
 11 expect the absence of immediate medical attention to result in any of the
 12 following:
- 13 a. Placing the health of an individual, or with respect to a pregnant
 14 woman, the health of the woman or her unborn child, in serious
 15 jeopardy.
- 16 b. Serious impairment to bodily functions.
- 17 c. Serious dysfunction of any bodily organ or part.
- 18 (2) ~~"Emergency services" means health care~~ Emergency services. – Healthcare
 19 items and services furnished or required to screen for or treat an emergency
 20 medical condition until the condition is stabilized, including prehospital ~~care~~
 21 care, ambulance transportation services, and ancillary services routinely
 22 available to the emergency department.
- 23 (3) ~~"Health benefit plan" means any of the following if written by an insurer: an~~
 24 ~~accident and health insurance policy or certificate; a nonprofit hospital or~~
 25 ~~medical service corporation contract; a health maintenance organization~~
 26 ~~subscriber contract; or a plan provided by a multiple employer welfare~~
 27 ~~arrangement. "Health benefit plan" does not mean any plan implemented or~~
 28 ~~administered through the Department of Health and Human Services or its~~
 29 ~~representatives. "Health benefit plan" also does not mean any of the following~~
 30 ~~kinds of insurance:~~
- 31 a. ~~Accident.~~
- 32 b. ~~Credit.~~
- 33 c. ~~Disability income.~~
- 34 d. ~~Long-term or nursing home care.~~
- 35 e. ~~Medicare supplement.~~
- 36 f. ~~Specified disease.~~
- 37 g. ~~Dental or vision.~~
- 38 h. ~~Coverage issued as a supplement to liability insurance.~~
- 39 i. ~~Workers' compensation.~~
- 40 j. ~~Medical payments under automobile or homeowners insurance.~~
- 41 k. ~~Hospital income or indemnity.~~
- 42 l. ~~Insurance under which benefits are payable with or without regard to~~
 43 ~~fault and that is statutorily required to be contained in any liability~~
 44 ~~policy or equivalent self-insurance.~~
- 45 (4) ~~"Insurer" means an entity that writes a health benefit plan and that is an~~
 46 ~~insurance company subject to this Chapter, a service corporation under Article~~
 47 ~~65 of this Chapter, a health maintenance organization under Article 67 of this~~
 48 ~~Chapter, or a multiple employer welfare arrangement under Article 50A of~~
 49 ~~this Chapter.~~
- 50 (5) ~~"To stabilize" means to~~ Stabilize. – To provide medical care that is appropriate
 51 to prevent a material deterioration of the person's condition, within reasonable

1 medical probability, in accordance with the ~~HCFA (Health Care Financing~~
2 ~~Administration) Centers for Medicare and Medicaid Services~~ interpretative
3 guidelines, policies and regulations pertaining to responsibilities of hospitals
4 in emergency cases ~~(as cases, as provided under the Emergency Medical~~
5 ~~Treatment and Labor Act, section 1867 of the Social Security Act, 42 U.S.C.S.~~
6 ~~1395dd), including medically necessary services and supplies to maintain~~
7 ~~stabilization until the person is transferred. 42 U.S.C.S. 1395dd."~~

8 **SECTION 1.(b)** Article 3 of Chapter 58 of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 58-3-193. Coverage for nonemergency ground ambulance transportation.**

11 (a) This section applies to nonemergency ground ambulance transportation service.
12 Ground ambulance transportation services provided in an emergency situation are defined and
13 regulated under G.S. 58-3-190.

14 (b) Nonemergency ground ambulance transportation services may be subject to
15 cost-sharing, including deductibles, coinsurance, and copayments. When nonemergency ground
16 ambulance transportation services are provided to an insured by an entity that is not a
17 participating provider in the insured's health benefit plan, an insurer shall not impose cost-sharing
18 for those services in an amount greater than one hundred ten percent (110%) of the cost-sharing
19 amount for nonemergency ground ambulance transportation services provided by a participating
20 network provider."

21 **SECTION 1.(c)** This section becomes effective October 1, 2025, and applies to
22 insurance contracts issued, renewed, or amended on or after that date.

23 **SECTION 2.(a)** G.S. 135-48.51 reads as rewritten:

24 **"§ 135-48.51. Coverage and operational mandates related to Chapter 58 of the General**
25 **Statutes.**

26 The following provisions of Chapter 58 of the General Statutes apply to the State Health Plan:

27 (1) G.S. 58-3-191, Managed care reporting and disclosure requirements.

28 (1a) G.S. 58-3-193, Coverage for nonemergency ground ambulance
29 transportation.

30"

31 **SECTION 2.(b)** Effective July 1, 2025, there is appropriated from the General Fund
32 to the Department of State Treasurer the sum of one million dollars (\$1,000,000) in recurring
33 funds for each year of the 2025-2027 fiscal biennium to be used to provide the additional
34 coverage required under this act.

35 **SECTION 2.(c)** Subsection (a) of this section applies as of the start of the next plan
36 year following that date.

37 **SECTION 3.** Except as otherwise provided, this act is effective when it becomes
38 law.