

June 20, 2019

The Honorable Lamar Alexander  
Chairman  
Senate Committee on Health, Education, Labor,  
and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Patty Murray  
Ranking Member  
Senate Committee on Health, Education, Labor,  
and Pensions  
154 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Murray:

We are writing on behalf of the members of the National Association of Insurance Commissioners (NAIC) to express our appreciation for your efforts to call attention to and attempt to address the underlying cost drivers of health care. Specifically, we wish to express our strong support for one particular measure of the *Lower Health Care Costs Act*—prohibiting surprise bills from air ambulance providers. We are encouraged that the introduced version of the bill includes protections for consumers from balance billing by air ambulance providers and we urge the committee to maintain these protections as the bill moves forward.

As we wrote to you earlier this month, air ambulance bills almost always stem from situations the *Lower Health Care Costs Act* intends to address—when consumers cannot reasonably choose their provider. In both emergency and non-emergency situations, consumers are rarely able to seek out and utilize an in-network air ambulance. After they are transported, air ambulance consumers are frequently presented with surprise bills for tens of thousands of dollars, even after their insurer pays the provider. Prohibiting this kind of billing offers crucial protection for consumers who find themselves in the unfortunate circumstance of requiring air ambulance transport.

A federal solution like that in S. 1895 is necessary because states have no ability to address these bills. The Airline Deregulation Act prohibits states from regulating air ambulances so even though state regulators across the country field complaints from consumers about air ambulance billing practices, neither they nor their state lawmakers have the authority to address this serious, ongoing problem. Action at the federal level is, therefore, needed to protect consumers.

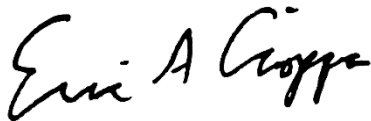
We recognize that the methods for determining payment for air ambulances may need greater flexibility than those for other providers. We think the approach in S. 1895 is a promising one—we support state authority to determine when in-network rate data is sufficient for fully-insured plans and Secretary of Health and Human Services authority to set a methodology for determining the rate.

By including protections against surprise billing for air ambulance services in the bill you have demonstrated your commitment to preventing loopholes that would allow some providers to continue to surprise bill. We appreciate this commitment and will work with the members of the HELP Committee and other members of Congress in support of keeping this key protection part of all surprise bill legislation. Thank you again for your leadership on this issue.

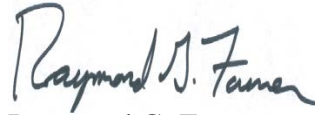
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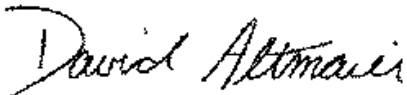
Sincerely,



Eric A. Cioppa  
NAIC President  
Superintendent  
Maine Bureau of Insurance



Raymond G. Farmer  
NAIC President-Elect  
Director  
South Carolina Department of Insurance



David Altmaier  
NAIC Vice President  
Commissioner  
Florida Office of Insurance Regulation



Dean L. Cameron  
NAIC Secretary-Treasurer  
Director  
Idaho Department of Insurance