S T A T E O F N E W Y O R K

246

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. SAMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to non-emergency ambulette transportation services provided to covered persons

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The insurance law is amended by adding a new section 5110 to read as follows:

S 5110. AMBULETTE TRANSPORTATION SERVICES. (A) EVERY OWNER'S POLICY OF LIABILITY INSURANCE ISSUED ON A MOTOR VEHICLE IN SATISFACTION OF THE REQUIREMENTS OF ARTICLE SIX OR EIGHT OF THE VEHICLE AND TRAFFIC LAW SHALL INCLUDE REIMBURSEMENT OF NON-EMERGENCY AMBULETTE TRANSPORTATION SERVICES THAT ARE MEDICAID-CERTIFIED FOR THE TRANSPORT OF COVERED PERSONS TO AND FROM APPOINTMENTS WITH HEALTH CARE PROVIDERS THAT ARE DIRECTLY RELATED TO TREATMENT OF AN INJURY OR INJURIES SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT.

(B) PAYMENT BY AN INSURER PURSUANT TO THIS SECTION SHALL BE PAYMENT IN FULL FOR THE SERVICES PROVIDED. AN AMBULETTE SERVICE REIMBURSED PURSUANT TO THIS SECTION SHALL NOT CHARGE OR SEEK ANY REIMBURSEMENT FROM, OR HAVE ANY RECOURSE AGAINST A COVERED PERSON FOR THE SERVICES PROVIDED PURSUANT TO THIS SECTION.

(C) AMBULETTE COMPANIES SHALL BE AUTHORIZED TO ACCEPT LETTERS OF REASSIGNMENT OF BENEFITS FROM COVERED PERSONS.

(D) AN INSURER SHALL PROVIDE REIMBURSEMENT FOR THOSE SERVICES PRESCRIBED BY THIS SECTION AT RATES NEGOTIATED BETWEEN THE INSURER AND THE PROVIDER OF SUCH SERVICES. IN THE ABSENCE OF AGREED UPON RATES, AN INSURER SHALL PAY FOR SUCH SERVICES AT THE USUAL AND CUSTOMARY CHARGE, WHICH SHALL NOT BE EXCESSIVE OR UNREASONABLE.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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