

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
S.P. 14 - L.D. 5

An Act to Clarify the Law Regarding Prior Authorization for Air Ambulances

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Public Law 2023, chapter 591 prohibits a health insurance carrier from requiring an air ambulance service provider to obtain prior authorization before transporting an enrollee to a hospital or between hospitals for urgent care; and

Whereas, the Legislature intended to limit the application of that provision to air ambulance service providers that are nonprofit organizations; and

Whereas, the language clarifying that the provision applied to air ambulance service providers that are nonprofit organizations was inadvertently omitted from Public Law 2023, chapter 591; and

Whereas, this legislation corrects that omission and must take effect as soon as possible in order to effectuate the Legislature's intent; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRSA §4303-F, sub-§1, ¶E, as amended by PL 2023, c. 591, §3, is further amended to read:

E. A carrier may not require a ground ambulance service provider to obtain prior authorization before transporting an enrollee to a hospital, between hospitals or from a hospital to a nursing home, hospice care facility or other health care facility, as defined in Title 22, section 328, subsection 8. A carrier may not require an air ambulance service provider that is a nonprofit organization to obtain prior authorization before transporting an enrollee to a hospital or between hospitals for urgent care.

Sec. 2. Retroactivity. This Act applies retroactively to August 9, 2024.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.