



TESTIMONY IN SUPPORT OF LD5: An Act to Clarify the Law Regarding Prior Authorization for Air Ambulance Services

January 21st, 2025

Senator Bailey, Representative Mathieson, and distinguished members of the Joint Standing Committee on Health Coverage and Financial Services:

My name is Joe Kellner and I serve as the chief executive officer of LifeFlight of Maine – Maine’s only air ambulance service. LifeFlight of Maine annually cares for 3,000 of Maine’s sickest patients using a combination of helicopters, airplanes, and ground ambulances.

With your partnership in the last session, we established that prior authorization could not be required for fixed wing air ambulance services. The basis of this is that it is completely impractical in an emergency to obtain prior authorization for the emergency services we provide. Prior authorization can, and often does, take multiple days to obtain. Even a patient that is stable that must be put through a prior authorization has a real and substantiated risk of deterioration during the waiting period for this authorization.

Even with passage of the law, we continue to see regular prior authorization denials, and we are working with payers to help them understand how the law is to be applied to our claims. Through our denial management and appeal process, as well as many hours of working with payer representatives, these denials eventually overturn. Even prior to the law being passed in the last session, prior authorization requirements for emergency services were still illegal in state and federal law, yet nearly every payer routinely denied fixed wing services, so we feel the law continues to be necessary.

Our discussion regarding prior authorization in the last session did involve a concept of limiting the prior authorization exclusion to not for profit entities. We have no issue with this concept. There are no taxable entities that would be providing emergency services in Maine.

I also understand that the Maine Bureau of Emergency Medical Services may seek to add a committee amendment that creates positions on the Medical Direction and Practices Board for Associate Regional Medical Directors. LifeFlight has always felt the application of EMS to be a physician prescriptive event. To that end, we feel that bolstering participation from a diverse set of physicians and clinicians on the Medical Direction and Practices Board is valuable and can only serve to enhance the EMS system. Therefore, we write in support of this amendment, should the Committee wish to accept it.

Thank you sincerely for your consideration.