

ASSEMBLY BILL NO. 296—ASSEMBLYWOMEN KOIVISTO,
SMITH AND MCCLAIN

MARCH 21, 2005

Referred to Committee on Health and Human Services

SUMMARY—Requires certain major hospitals to accept certain payments for provision of emergency services and care to certain patients as payment in full. (BDR 40-790)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to health care; requiring certain major hospitals to accept certain payments for the provision of emergency services and care to certain patients as payment in full; providing a penalty; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 439B of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 ***1. A major hospital shall accept payment for the provision of***
4 ***emergency services and care to a patient in accordance with***
5 ***subsections 2 and 3 if the patient:***
6 ***(a) Was transported to the major hospital for the provision of***
7 ***emergency services and care by an ambulance, air ambulance or***
8 ***vehicle of a fire-fighting agency which has received a permit to***
9 ***operate pursuant to chapter 450B of NRS;***
10 ***(b) Was admitted to the major hospital; and***
11 ***(c) Has a policy of insurance or other contractual provision***
12 ***with a third party:***



1 (1) *That provides coverage for emergency services and care*
2 *provided by at least one hospital in this State other than the major*
3 *hospital to which the patient was transported; and*

4 (2) *That does not provide through a contract between the*
5 *entity that issues the policy of insurance and the major hospital or*
6 *through a contract between the third party and the major hospital*
7 *coverage for emergency services and care provided by the major*
8 *hospital to which the patient was transported.*

9 2. *A major hospital that provides emergency services and care*
10 *to a patient described in subsection 1:*

11 (a) *Shall accept as payment in full for such services and care a*
12 *rate of 175 percent of the amount Medicare pays for such services*
13 *and care; and*

14 (b) *May require the patient to pay the same deductible or*
15 *copayment or to satisfy other such conditions for coverage that are*
16 *required pursuant to any policy of insurance or other contractual*
17 *provision between the third party and any other hospital in this*
18 *State for the provision of emergency services and care.*

19 3. *As used in this section:*

20 (a) *“Air ambulance” has the meaning ascribed to it in*
21 *NRS 450B.030.*

22 (b) *“Ambulance” has the meaning ascribed to it in*
23 *NRS 450B.040.*

24 (c) *“Emergency services and care” has the meaning ascribed*
25 *to it in NRS 439B.410.*

26 (d) *“Fire-fighting agency” has the meaning ascribed to it in*
27 *NRS 450B.072.*

28 (e) *“Major hospital” means a hospital with 100 or more beds*
29 *in a county whose population is 400,000 or more which has an*
30 *emergency room or which has been designated as a center for the*
31 *treatment of trauma by the Administrator of the Health Division of*
32 *the Department pursuant to NRS 450B.237, and which is not*
33 *operated by a federal, state or local governmental agency.*

34 (f) *“Third party” includes, without limitation:*

35 (1) *An insurer, as that term is defined in NRS 679B.540;*

36 (2) *An employee health benefit plan which provides*
37 *coverage for emergency services and care at a major hospital;*

38 (3) *A participating public agency, as that term is defined in*
39 *NRS 287.04052 and any other local governmental agency of the*
40 *State of Nevada which provides a system of health insurance for*
41 *the benefit of its officers and employees, and the dependents of*
42 *officers and employees pursuant to chapter 287 of NRS; and*

43 (4) *Any other insurer or organization providing health*
44 *coverage or benefits in accordance with state or federal law.*



1 **Sec. 2.** This act becomes effective on July 1, 2005.

⑩



* A B 2 9 6 R 1 *

