



Bulletin B 18-14

TO: AIR AMBULANCE SERVICE PROVIDERS THAT MEET THE REQUIREMENTS OF AS 21.61.105 AND OTHER INTERESTED PARTIES

RE: MEMBERSHIP AGREEMENT - ENROLLMENT OF INDIVIDUALS WHO WILL BE UTILIZING AIR AMBULANCE SERVICES WITHOUT A WAITING PERIOD

The Alaska Division of Insurance is aware that some air ambulance service providers are signing individuals up for membership agreements at "bedside" in the hospital, as the patients are entering the aircraft, while on the aircraft, and perhaps even after leaving the aircraft. An air ambulance membership agreement is defined under AS 21.61.110(2) as an agreement in exchange for consideration, to pay for, indemnify, or provide an amount or benefit to a person for the cost of air ambulance services.

The Division produced this Bulletin to provide guidelines for air ambulance membership agreements sold to individuals who are utilizing the services without a waiting period.

1. Can a membership agreement be sold directly to an unconscious patient?
 - a. No, if a patient is unconscious or otherwise unable to sign, the patient lacks the legal capacity to contract for insurance required under AS 21.42.080.
2. Can an employee of an air ambulance service provider complete the membership agreement application to cover the patient who may be unconscious or otherwise unable to sign the agreement?
 - a. No, if the patient is unconscious or otherwise unable to sign, the patient can only be added to the air ambulance agreement consistent with AS 21.42.090.
3. Can the membership agreement be completed retroactively?
 - a. No. The membership agreement must be completed and the membership payment must be made prior to the onset of air ambulance services.

Additional requirements of the air ambulance service providers include:

1. Enrollment in an air ambulance membership agreement must be uniformly offered to each and every patient with the following exceptions:
 - a. Medicaid patients
 - b. Patients without insurance if the membership agreement requires the patient to have qualifying medical insurance.
2. The premiums, benefits, and terms and conditions of an air ambulance membership agreement must be consistent among the solicited patients in accordance with the Unfair Discrimination statute AS 21.36.090(b).

Consumers are cautioned that there may be multiple air ambulance operators in a community and that each operator may have a different membership plan with different enrollment provisions. Air ambulance operators are not required to provide bedside membership enrollment. For questions related to this Bulletin, please contact Sarah Bailey at sarah.bailey@alaska.gov or 907-465-4608.

Dated this 30th day of November, 2018 at Anchorage, Alaska.



Lori Wing-Heier
Director