
Health Care & Wellness Committee

HB 2466

Brief Description: Addressing ambulance wait times.

Sponsors: Representatives Fosse, Bronoske and Bateman.

Brief Summary of Bill

- Requires a hospital with an emergency department to accept care for a patient that has been transported to the hospital in an ambulance within 30 minutes of the ambulance's arrival, or to reimburse the ambulance service for the additional waiting time, unless an exception applies.

Hearing Date: 1/26/24

Staff: Emily Poole (786-7106).

Background:

Ambulance Licensing.

The Department of Health (DOH) licenses vehicles designated as ambulances and aid vehicles. Ambulance services and aid services may not operate in the state without holding a license issued by the DOH, subject to certain exceptions.

Emergency Services.

The federal Emergency Medical Treatment and Labor Act (EMTALA) applies to all Medicare-certified and critical access hospitals. Under EMTALA, a hospital must respond to a person's emergent medical condition by determining the nature of the condition. If an urgent condition exists, it must be treated to the best of the facility's ability regardless of the patient's ability to pay. If a hospital is unable to stabilize a patient within its capability, or if the patient requests, the patient may be transferred to another facility.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

If a hospital chooses to provide emergency services, state regulations require hospitals to adopt and implement policies and procedures for every patient presenting to the emergency department with an emergency medical condition, including transfer of a patient with an emergency medical condition or who is in active labor based on: (1) patient request; (2) inability to treat the patient due to facility capability; (3) staff availability or bed availability; and (4) the ability of the receiving hospital to accept and care for the patient.

Payment for Ambulance Transportation.

Ambulance transportation policies and rates vary by health carrier. The Health Care Authority (HCA) pays for ground ambulance transportation for Apple Health clients to and from covered medical services when the transportation meets certain requirements. The HCA's ground ambulance Medicaid base rate includes necessary personnel and services, oxygen administration, intravenous supplies, and IV administration, certain other supplies, required equipment, and waiting time.

Disaster Medical Control Centers.

Disaster Medical Control Centers (DMCCs) are designated hospitals that coordinate patient movement during an incident that may overwhelm the healthcare system, such as a mass casualty incident or hospital evacuation.

The Emergency Medical Services and Trauma Care Steering Committee.

The Emergency Medical Services and Trauma Care Steering Committee (Committee) advises the DOH regarding emergency medical services (EMS) and trauma care needs throughout the state. Among other duties, the Committee reviews proposed DOH rules for EMS and trauma care.

Summary of Bill:

Beginning December 1, 2025, a hospital with an emergency department must accept care for a patient that has been transported to the hospital in an ambulance within 30 minutes of the ambulance arriving at the hospital, unless an exception applies. Exceptions include periods of patient surge due to the activation of a DMCC and periods of reduced emergency department capacity due to temporary, unforeseen damage or disruptions.

If the hospital does not accept care for a patient in 30 minutes or less, and an exception does not apply, the hospital must reimburse the ambulance service for the ambulance's additional waiting time in accordance with reimbursement rates set by the DOH.

By December 1, 2025, the DOH, in consultation with the Committee, must establish requirements regarding:

- protocols to be implemented by hospitals and ambulance services for recording the time of the ambulance's arrival at the hospital and the time that the transfer of care to the hospital occurs;

- exceptions for when ambulance waiting time may exceed 30 minutes without requiring reimbursement by the hospital; and
- reimbursement rates for ambulance waiting times exceeding 30 minutes.

Appropriation: None.

Fiscal Note: Requested on January 22, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.