

FINAL BILL REPORT

SHB 2188

C 93 L 12
Synopsis as Enacted

Brief Description: Regulating air rescue or evacuation services.

Sponsors: House Committee on Business & Financial Services (originally sponsored by Representatives Ryu and Parker).

House Committee on Business & Financial Services
Senate Committee on Financial Institutions, Housing & Insurance

Background:

The Insurance Code (Code) governs all insurance transactions that occur in this state or affect subjects located within this state. "Insurance" is defined as "a contract whereby one undertakes to indemnify another or pay a specified amount upon determinable contingencies."

Among other duties for insurers and health carriers, the Code requires:

- minimum reserves to ensure solvency;
- registration with the Office of the Insurance Commissioner (OIC); and
- the filing of forms and rates with the OIC.

There are a number of services, products, persons, and entities that are regulated under the Code in a less stringent manner than a traditional insurance product, agent or broker, or insurer. There are also several exemptions from the Code. One exemption is related to private air ambulance services.

Private air ambulance services that solicit and accept membership subscriptions, charge fees, and provide services are not insurers or health carriers and are exempt from the provisions of the Code if the service:

- meets licensure requirements;
- attains and maintains accreditation by the Commission on Accreditation of Medical Transport Services or another accreditation organization approved by the Department of Health;
- has operated in Washington for a minimum of two years; and
- submits evidence of compliance with these provisions to the OIC.

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

Summary:

Rescue services include:

- rescue, evacuation, and emergency transport and crisis management services related to the emergency;
- locator services for medical and legal professionals;
- visa and passport services;
- emergency message services;
- emergency-related travel and emergency-related services and information; and
- other services established by rule of the Insurance Commissioner.

A subscription service that solicits membership subscriptions, charges membership fees, and provides rescue services to its members who are traveling more than 100 miles away from home is not an insurer or a health carrier.

A subscription service that provides rescue services must satisfy any licensing requirements of the jurisdiction in which the services are provided.

It is not required that a subscription service own the means of transportation that will be used to provide the contracted services.

Votes on Final Passage:

House	95	0
Senate	45	0

Effective: June 7, 2012