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Community Service Society of New York ☞ Consumers Union ☞ Empire Justice Center ☞ Make the Road New York
Medicare Rights Center ☞ Metro New York Health Care for All Campaign
New Yorkers for Accessible Health Coverage ☞ New York Immigration Coalition ☞ Project CHARGE
Public Policy and Education Fund of New York/Citizen Action of New York
Raising Women's Voices-New York ☞ Schuyler Center for Analysis and Advocacy ☞ Young Invincibles

Memorandum in Opposition to A.1778/S.3685 and A.6211/S.3526 May 2019

Health Care for All New York (“HCFANY”) is a statewide coalition of over 170 organizations dedicated to achieving quality, affordable health coverage for all New Yorkers. We strive to bring consumer voices to the policy conversation, ensuring that the concerns of real New Yorkers are heard and reflected.

HCFANY opposes A.1778/S.3685 and A.6211/S.3526 without modifications that will protect consumers from surprise or balance bills from ambulances and fire departments. A.1778/S.3685 would allow ambulances provided through fire departments to bill for medical services. A.6211/S.3526 would give ambulance providers the ability to submit invoices directly to insurance companies without becoming part of the insurer's network. Both bills, if enacted, could expose patients to surprise out-of-network charges, balance billing, and increased insurance premiums. In addition, the bills could expose patients to balance billing liability in the event that health plans make partial payments to ambulance providers.

HCFANY supports fair payment for ambulance services. However, when health insurance plans and health care providers disagree about charges, it is patients who are subjected to aggressive debt collectors.

New York solved this problem for some emergency bills through our surprise bill law.¹ The surprise bill law has two important components: first, patients are held harmless from out-of-network physician charges incurred in hospital emergency rooms. Providers cannot directly bill patients for those services, and they cannot balance bill patients if plans fail to pay the providers' full charge. Second, plans and providers determine appropriate charges amongst themselves using a third-party independent dispute resolution (IDR) process. The IDR process prevents excessive charges on the part of providers, who know that insurers must pay without involving patients. However, even when not exposed directly to the bill, patients do ultimately pay for those excessive charges because they are reflected in higher premiums.

Patients in New York are already facing an affordability crisis – nearly half say they take drastic steps like cutting pills or skipping treatments because they cannot afford them.² New York

¹ NY Financial Services Law Article 6.

² Altarum Healthcare Value Hub, “New Yorkers Struggle to Afford High Healthcare Costs; Support a Range of Government Solutions Across Party Lines,” Data Brief No. 37, March 2019,



should not add to this affordability crisis by expanding the ability for emergency responders to bill insurers, and ultimately patients, without expanding protections against surprise out-of-network charges and balance billing.

Ambulances are the quintessential emergency service in which patients have no choice of provider. Further, New Yorkers already support the provision of these services through taxes. They should not be asked to pay again. HCFANY opposes both bills without the addition of explicit balance billing and surprise bill protections.

<https://www.healthcarevaluehub.org/advocate-resources/publications/new-yorkers-struggle-afford-high-healthcare-costs-support-range-government-solutions-across-party-lines/>
