

AMENDMENT TO H.R. 2997
OFFERED BY MR. WOODALL OF GEORGIA

At the end of subtitle A of title V, add the following:

1 **SEC. ____.** **ADVISORY COMMITTEE FOR TRANSPARENCY IN**
2 **AIR AMBULANCE INDUSTRY.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Secretary of Transpor-
5 tation shall establish an advisory committee to make rec-
6 ommendations for a rulemaking—

7 (1) to require air ambulance operators to clear-
8 ly disclose charges for air transportation services
9 separately from charges for non-air transportation
10 services within any invoice or bill; and

11 (2) to provide other consumer protections for
12 customers of air ambulance operators.

13 (b) COMPOSITION OF THE ADVISORY COMMITTEE.—
14 The advisory committee shall be composed of the following
15 members:

16 (1) The Secretary of Transportation.

17 (2) 1 representative, to be appointed by the
18 Secretary, of each of the following:

19 (A) Each relevant Federal agency, as de-
20 termined by the Secretary.

1 (B) Air ambulance operators.

2 (C) State insurance regulators.

3 (D) Health insurance providers.

4 (E) Consumer groups.

5 (c) RECOMMENDATIONS.—The advisory committee
6 shall make recommendations with respect to each of the
7 following:

8 (1) Cost-allocation methodologies needed to en-
9 sure that charges for air transportation services are
10 separated from charges for non-air transportation
11 services.

12 (2) Cost- or price-allocation methodologies to
13 prevent commingling of charges for air transpor-
14 tation services and charges for non-air transpor-
15 tation services in bills and invoices.

16 (3) Formats for bills and invoices to ensure
17 that customers and State insurance regulators can
18 clearly distinguish between charges for air transpor-
19 tation services and charges for non-air transpor-
20 tation services.

21 (4) Data or industry references related to air-
22 craft operating costs to be used in determining the
23 proper allocation of charges for air transportation
24 services and charges for non-air transportation serv-
25 ices.

1 (5) Guidance materials to instruct States, polit-
2 ical subdivisions of States, and political authorities
3 of 2 or more States on referring to the Secretary al-
4 legations of unfair or deceptive practices or unfair
5 methods of competition by air ambulance operators.

6 (6) Protections for customers of air ambulance
7 operators, after consideration of the circumstances
8 in which the services of air ambulance operators are
9 used.

10 (7) Protections of proprietary cost data from
11 inappropriate public disclosure.

12 (8) Such other matters as the Secretary deter-
13 mines necessary or appropriate.

14 (d) REPORT.—Not later than 180 days after the date
15 of the first meeting of the advisory committee, the advi-
16 sory committee shall submit to the Secretary, the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives, and the Committee on Commerce,
19 Science, and Transportation of the Senate a report con-
20 taining the recommendations made under subsection (c).

21 (e) RULEMAKING.—Not later than 180 days after the
22 date of receipt of the report under subsection (d), the Sec-
23 retary shall consider the recommendations of the advisory
24 committee and issue a final rule—

1 (1) to require air ambulance operators to clear-
2 ly disclose charges for air transportation services
3 separately from charges for non-air transportation
4 services within any invoice or bill; and

5 (2) to provide other consumer protections for
6 customers of air ambulance operators.

7 (f) DEFINITIONS.—In this section, the following defi-
8 nitions apply:

9 (1) AIR AMBULANCE OPERATOR.—The term
10 “air ambulance operator” means an air carrier oper-
11 ating pursuant to part 135 of title 14, Code of Fed-
12 eral Regulations, that provides medical, ambulance,
13 or related services.

14 (2) NON-AIR TRANSPORTATION SERVICES.—The
15 term “non-air transportation services” means those
16 services provided by air ambulance operators but not
17 other air carriers operating pursuant to part 135 of
18 title 14, Code of Federal Regulations.

19 (g) TERMINATION.—The advisory committee shall
20 terminate on the date of submission of the report under
21 subsection (d).

22 (h) NATURE OF AIR AMBULANCE SERVICES.—The
23 non-air transportation services of air ambulance operators
24 and prices thereof are neither services nor prices of an

1 air carrier for purposes of section 41713 of title 49,
2 United States Code.

3 **SEC. ____ . AIR AMBULANCE COMPLAINTS.**

4 (a) CONSUMER COMPLAINTS.—Section 42302 of title
5 49, United States Code, is amended—

6 (1) in subsection (a) by inserting “(including
7 transportation by air ambulance)” after “air trans-
8 portation”;

9 (2) in subsection (b)—

10 (A) in the matter preceding paragraph

11 (1)—

12 (i) by inserting “, and an air ambu-
13 lance operator,” after “passenger seats”;
14 and

15 (ii) by inserting “or operator” after
16 “Internet Web site of the carrier”; and

17 (B) in paragraph (2) by inserting “or op-
18 erator” after “mailing address of the air car-
19 rier”; and

20 (3) by striking subsection (c) and inserting the
21 following:

22 “(c) NOTICE TO PASSENGERS ON BOARDING OR
23 BILLING DOCUMENTATION.—

24 “(1) AIR CARRIERS AND FOREIGN AIR CAR-
25 RIERS.—An air carrier or foreign air carrier pro-

1 viding scheduled air transportation using any air-
2 craft that as originally designed has a passenger ca-
3 pacity of 30 or more passenger seats shall include
4 the hotline telephone number established under sub-
5 section (a) on—

6 “(A) prominently displayed signs of the
7 carrier at the airport ticket counters in the
8 United States where the air carrier operates;
9 and

10 “(B) any electronic confirmation of the
11 purchase of a passenger ticket for air transpor-
12 tation issued by the air carrier.

13 “(2) AIR AMBULANCE OPERATORS.—An air am-
14 bulance operator shall include the hotline telephone
15 number established under subsection (a) on any in-
16 voice, bill, or other communication provided to a
17 passenger or customer of the operator.”.

18 (b) UNFAIR AND DECEPTIVE PRACTICES AND UN-
19 FAIR METHODS OF COMPETITION.—Section 41712(a) of
20 title 49, United States Code, is amended—

21 (1) by inserting “air ambulance customer,”
22 after “foreign air carrier,” the first place it appears;
23 and

24 (2) by adding at the end the following: “In this
25 subsection, the term ‘air carrier’ includes an air am-

- 1 bulance operator and the term ‘air transportation’
- 2 includes any transportation provided by an air am-
- 3 bulance.’’.

