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January 22, 2018

Dear Senator:

We are writing to you on behalf of the Pennsylvania College of Emergency Physicians (PACEP). We represent over 1,700 emergency physicians across the state of Pennsylvania and would like to voice our concern for the wording of the Senate Bill 1003 and our full support of wording of the House Bill 1013; Amending the act of May 17, 1921 (P.L.682, No.284). This is in respect to the wording related to “prudent layperson” versus managed care standard for determining if the medical condition constitutes an emergency under this bill. We are concerned with the wording of the SB 1003 allowing insurance companies to retrospectively determine if care was an emergency.

Even though the intent of both bills is identical, to reimburse emergency medical service agencies for their work, regardless of transporting the patient to the hospital, the alteration in wording and definition of an ‘emergency’ will change the current law in respect to payment and allow managed care plans to decide what was an emergency retrospectively. This alteration can have devastating consequences for the patient depending on one’s possible copay, deductibles or insurance definitions.

The change in wording in the Senate Bill is not only unnecessary, as the concept of a prudent layperson has been defined, it also gives the insurance and managed care companies the ability to refuse payment based on what they would consider an emergency, rather than the patient’s understanding at the time of the event. This may hinder patients from calling for emergency care due to financial concerns of possibly being left with the full bill, rather than their medical concerns that should be the focus of calling for emergency medical services.

PACEP strongly urges you to change the wording in the Senate bill to mirror the House bill, as this legislation would greatly help our emergency medical services providers provide optimal care in all encounters, helping the public overall.

We stand willing to assist in any way we can. Please let us know if we can be of further assistance.

Sincerely,

Maria K. Guyette, MD, FACEP
PACEP President

Scott Goldstein, DO, FACEP
PACEP EMS Committee Chair