

**CHARTER OF THE AIR AMBULANCE  
AND PATIENT BILLING ADVISORY COMMITTEE  
U.S. DEPARTMENT OF TRANSPORTATION**

1. **COMMITTEE'S OFFICIAL DESIGNATION**: The Committee's official designation is the Air Ambulance and Patient Billing Advisory Committee (AAPB Advisory Committee).
2. **AUTHORITY**: Section 418 of the FAA Reauthorization Act of 2018, Pub. L. No. 115-254, 132 Stat. 3186 (2018), requires the establishment of an advisory committee on issues related to air ambulance services and patient billing. The AAPB Advisory Committee is also established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES**: The AAPB Advisory Committee shall advise the Secretary of Transportation on issues relating to air ambulance services and patient billing. The AAPB Advisory Committee shall review options to improve the disclosure of charges and fees for air medical services, better inform consumers of insurance options for such services, and protect consumers from balance billing. It shall also make recommendations with respect to disclosure of charges and fees for air ambulance services and insurance coverage, consumer protection and enforcement authorities of both the Department of Transportation and State authorities, and the prevention of balance billing to consumers.
4. **DESCRIPTION OF DUTIES**: The AAPB Advisory Committee will carry out the following tasks:
  - (a) Make recommendations to the Secretary with respect to the costs, benefits, practicability, and impact on all stakeholders of clearly distinguishing between charges for air transportation services and charges for non-air transportation services in bills and invoices;
  - (b) Make recommendations to the Secretary with respect to options, best practices, and identified standards to prevent instances of balance billing such as improving network and contract negotiation, dispute resolution between health insurance and air medical service providers, and explanation of insurance coverage and subscription programs to consumers;
  - (c) Make recommendations to the Secretary with respect to steps that can be taken by State legislatures, State insurance regulators, State attorneys general, and other State officials as appropriate, consistent with current legal authorities regarding consumer protection;
  - (d) Make recommendations to the Secretary with respect to recommendations made by the Comptroller General study, GAO-17-637, including what additional data from air ambulance providers and other sources should be collected by the Department to

improve its understanding of the air ambulance market and oversight of the air ambulance industry for the purposes of pursuing action related to unfair or deceptive practices or unfair methods of competition;

- (e) Make recommendations to the Secretary with respect to definitions of all applicable terms that are not defined in statute or regulations;
  - (f) Make recommendations to the Secretary with respect to other matters as determined necessary or appropriate; and
  - (g) Submit a report of its recommendations to the Secretary of Transportation, the Secretary of Health and Human Services, and the appropriate committees of Congress.
5. **OFFICIALS TO WHOM THE COMMITTEE REPORTS:** The AAPB Advisory Committee shall report to the Secretary of Transportation through the Department's Office of the General Counsel.
6. **SUPPORT:** The Department's Office of the General Counsel will sponsor the AAPB Advisory Committee.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The estimated annual cost to the Government is \$144,555. The AAPB Advisory Committee will require the support of approximately 0.8 full-time DOT employee.
8. **DESIGNATED FEDERAL OFFICER (DFO)**
- (a) The Assistant General Counsel for Aviation Enforcement and Proceedings, or designee, will serve as the Designated Federal Officer (DFO) for the AAPB Advisory Committee.
  - (b) The DFO, or designee, approves or calls all of the AAPB Advisory Committee and subcommittee meetings, develops and approves the agenda in advance of consultation with the Chairperson, and must be present at each AAPB Advisory Committee and subcommittee meeting. The DFO chairs meetings when directed to do so by the Secretary and has the authority to adjourn meetings whenever such action is deemed to be in the public interest. The DFO works with the Chairperson to maintain order.
9. **MEETINGS:**
- (a) Frequency: It is anticipated that the AAPB Advisory Committee will meet at least twice during a 12-month period following the AAPB Advisory Committee's establishment. Additional meetings and subcommittee meetings may be called as necessary.

- (b) **Voting:** A quorum must exist for any official action, including voting on a recommendation, to occur. A quorum exists whenever 75% of the appointed members are present. In any situation involving voting, the majority vote of members present will prevail, but the views of the minority will be reported as well. If there is no majority vote, the result 'No Consensus' must be reported, followed by the views of each voting faction.

10. **DURATION:** Continuing.

11. **TERMINATION:** The AAPB Advisory Committee will terminate upon the issuance of the report required by section 418(e) of the FAA Reauthorization Act. Unless renewed by appropriate action prior to expiration, the charter for the AAPB Advisory Committee will expire two years from the date it is filed.

12. **MEMBERSHIP AND DESIGNATION:**

- (a) The AAPB Advisory Committee shall be comprised of at least 13 members, including:
- i. The Secretary of Transportation, or the Secretary's designee;
  - ii. The Secretary of Health and Human Services, or the Secretary's designee;
  - iii. One representative of each of the following:
    1. Each relevant Federal agency, as determined by the Secretary;
    2. State insurance regulators;
    3. Health insurance providers;
    4. Patient advocacy groups;
    5. Consumer advocacy groups;
    6. Physician specializing in emergency, trauma, cardiac, or stroke;
  - iv. Three representatives of the various segments of the air ambulance industry;
  - v. Three additional representatives not covered under sections (i) through (iv), as determined necessary and appropriate by the Secretary of Transportation.
- (b) The Chairperson of the AAPB Advisory Committee shall be designated by the Secretary of Transportation from among the individuals whom he or she appoints to the AAPB Advisory Committee. Members' terms shall commence when they are appointed by the Secretary of Transportation.
- (c) Members serve at the pleasure of the Secretary of Transportation and may be replaced at any time for any reason, including non-participation.
- (d) A vacancy in the AAPB Advisory Committee shall be filled in the manner in which the original appointment was made.

- (e) Members of the AAPB Advisory Committee shall serve without pay but may receive travel and per diem expenses in accordance with 5 U.S.C., chapter 57, subchapter I.
- (f) Members appointed solely for their expertise shall serve as special Government employees.

13. **SUBCOMMITTEES:**

- (a) The DFO may establish subcommittees to perform specific assignments.
- (b) Subcommittees shall not work independently of the chartered AAPB Advisory Committee and shall report all of their recommendations and advice to the full AAPB Advisory Committee for deliberation and discussion. Subcommittees must not provide advice or work products directly to the Department or any Federal agency.

14. **RECORDKEEPING:** The records of the AAPB Advisory Committee, formally and informally established subcommittees, or other subgroups of the AAPB Advisory Committee shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552. An agency docket will also be established for AAPB Advisory Committee documents. To the extent that there is a discussion of issues concerning ongoing rulemaking proceedings during an AAPB Advisory Committee meeting, the minutes of that meeting will be placed in the appropriate docket.

**FILING DATE:** The filing date of this charter is September 12, 2019. The charter will expire on September 12, 2021, unless renewed.