

1 **Patient Interfacility Transportation Requirements**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sahara Hayes

Senate Sponsor: Keith Grover

2
3 **LONG TITLE**

4 **General Description:**

5 This bill enacts provisions related to patient interfacility transportation.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ requires a health care facility to allow a patient to use non-medical transportation to
- 10 another health care facility under certain circumstances;
- 11 ▶ requires a health care facility to provide a notice ~~and assist in arranging the~~

11a ~~transportation]~~ ←~~and~~ ;

- 12 ▶ enacts provisions for admissions and billing for a receiving health care facility; and

13 ▶ enacts liability protections for originating health care facilities and health care providers

14 under certain circumstances.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 ENACTS:

21 **26B-2-244**, Utah Code Annotated 1953

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **26B-2-244** is enacted to read:

25 **26B-2-244 . Non-medical transport -- Receiving health care facility requirements.**

26 (1) As used in this section:

27 (a) ~~and~~ → **"Adequate time" means:**

27a (i) **for an originating facility located in a county of the fourth, fifth, or sixth class**

27b **as classified under Section 17-60-104, four hours of being discharged by the**

27c originating facility; or
 27d (ii) for an originating facility not described in Subsection (1)(a)(i), two hours of
 27e being discharged by the originating facility.

27f (b) ←Ĥ "Ambulance transportation" means transportation provided by a person
 27g licensed
 28 under Title 53, Chapter 2d, Emergency Medical Services Act.

29 Ĥ→ [(b)] (c) ←Ĥ "Health care provider" means:
 30 (i) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or
 31 Title 58, Chapter 68, Utah Osteopathic Medical Practice Act;
 32 (ii) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician
 33 Assistant Act; or
 34 (iii) an advanced practice registered nurse licensed under Subsection
 35 58-31b-301(2)(e).

36 Ĥ→ [(e)] (d) ←Ĥ "Interfacility transfer" means the transferring of a patient between
 36a an originating
 37 facility and a receiving facility.

38 Ĥ→ [(d)] (e) ←Ĥ (i) "Non-medical transportation" means transportation that does
 38a not:
 39 (A) provide medical services during transport; or
 40 (B) employ or provide trained medical personnel for transporting an individual.
 41 (ii) "Non-medical transportation" includes transportation provided by a family
 42 member or public transit.

43 Ĥ→ [(e)] (f) ←Ĥ "Originating facility" means a health care facility where a patient
 43a is currently
 44 admitted or being treated.

45 Ĥ→ [(f)] (g) ←Ĥ "Receiving facility" means a health care facility that will receive a
 45a patient from an
 46 originating facility.

47 (2) A health care facility shall allow a patient to use non-medical transportation for an
 48 interfacility transfer if:

49 (a) the patient is not subject to:
 50 (i) temporary commitment described in Section 26B-5-331; or
 51 (ii) involuntary commitment described in Section 26B-5-332;
 52 (b) the patient's health care provider at the originating facility determines that:

- 53 (i) the patient is not in a condition described in Section 53-2d-405; and
 54 (ii) the patient's current medical and mental condition does not require ambulance
 55 transportation to the receiving facility; and
 56 (c) the transfer would not violate ~~the~~ **the federal Emergency Medical Treatment and**
 56a **Labor Act described in** ~~42 U.S.C. Sec. 1395dd.~~
 57 (3) A patient may request that a health care facility or health care provider determine
 58 whether the patient is eligible to use non-medical transportation under Subsection (2).
 59 (4) For a patient eligible to use non-medical transportation for an interfacility transfer, the
 60 health care facility shall provide a written notice ~~to the patient~~ **to the patient** ~~that states:~~
 61 (a) the patient's medical and mental condition does not meet medical necessity for
 62 ambulance transportation;
 63 (b) insurance may elect not to cover the charges for ambulance transportation;
 64 (c) the patient may be responsible for the cost of ambulance transportation; and
 65 (d) the current transportation rate and mileage rate established under Section 53-2d-503.
 66 (5) If a patient uses non-medical transportation as described in this section and arrives at the
 67 receiving facility within ~~two hours of being discharged by the originating facility~~
 67a **adequate time** ~~to~~ **the**
 68 receiving facility may not:
 69 (a) charge the patient or the patient's insurance or other health benefit plan for admission
 70 or readmission services unless medical staff have reason to believe the patient's
 71 medical condition has changed from when the originating facility discharged the
 72 patient to the time of the patient's arrival at the receiving facility; or
 73 (b) assign the available bed that the patient was offered upon discharge from the
 74 originating facility to an individual that is not the patient.
 75 (6) An originating facility or health care provider is immune from civil action for acts or
 76 omissions made when allowing a patient to use non-medical transportation if the
 77 patient's medical or mental condition at the time the originating facility discharges the
 78 patient did not require ambulance transportation to the receiving facility.
 79 (7) Nothing in this section restricts a patient's ability to refuse health care services,
 80 including any form of transportation.

81 Section 2. **Effective Date.**

82 This bill takes effect on May 6, 2026.