

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.21540 Use of aircraft transport vehicle or rotary aircraft ambulance; nonemergency patient; medically necessary; violation; liability.**

Sec. 21540.

(1) A nonemergency patient shall be transported by an ambulance that is a motor vehicle instead of an aircraft transport vehicle or ambulance that is a rotary aircraft, unless transporting the patient by an aircraft transport vehicle or ambulance that is a rotary aircraft is medically necessary for the patient.

(2) If it is determined that ordering an aircraft transport vehicle or ambulance that is a rotary aircraft to transport a nonemergency patient is medically necessary for the nonemergency patient, an aircraft transport vehicle from an aircraft transport operation, or an ambulance that is a rotary aircraft from an ambulance operation, that is a participating provider with the nonemergency patient's health benefit plan must be ordered before ordering an aircraft transport vehicle from an aircraft transport operation, or an ambulance that is a rotary aircraft from an ambulance operation, that is not a participating provider with the nonemergency patient's health benefit plan. This subsection does not apply if the hospital does not have electronic access to the information described in section 21541(1)(a)(i)(A) and (B).

(3) A hospital that violates this section is liable to the aircraft transport operation or ambulance operation for the reasonable cost of transporting the nonemergency patient, as negotiated between the hospital and the aircraft transport operation or ambulance operation, to the extent that the cost exceeds the amount covered by the patient's health benefit plan.

**History:** Add. 2018, Act 383, Eff. Mar. 19, 2019

**Popular Name:** Act 368