



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

DIVISION OF INSURANCE

P.O. Box 110805  
Juneau, Alaska 99811-0805  
Main: 907.465.2515  
TDD: 907.465.5437  
Fax: 907.465.3422

July 16, 2013

Shelly Deering, RN, BSN, CCRN  
Alaska Manager  
Airlift Northwest  
8429 Livingston Way  
Juneau, AK 99801

Dear Ms. Deering:

Re: AirCare Program – Alaska

As you may be aware based on the letter I sent to Airlift NW last December to which you responded by e-mail on December 20, 2012, questions continue to arise regarding the scope and breath of the exemption in AS 21.87.010 under which Airlift NW was given permission by the prior director to *“offer the subscription membership program as described, with two caveats. First, Airlift Northwest must remain certified under Alaska Statute 19.08.082. Second, we do not approve of “lifetime memberships”.*”

We need additional information regarding the Airlift NW AirCare Program in order to fully assess the applicability of the exemption in AS 21.87.010 to the Airlift NW AirCare Program as follows:

1. Identify any changes to the membership program or terms since the August 26, 2008 letter from the prior director.
2. The exemption in AS 21.87.010 applies to “ambulance or emergency medical services provided by a municipality, nonprofit medical service corporation, or nonprofit association if the person providing the services is certified under AS 18.08.082.” “Service corporation” is defined in AS 21.87.330 as “a corporation providing all or part of one or more health care services for subscribers in exchange for periodic prepayment in identifiable amount by or as to the subscribers.” Please provide a legal analysis and supporting documentation that supports a conclusion that Airlift Northwest is a service corporation as defined by AS 21.87.330 including a detailed explanation of what services are being provided in exchange for “periodic prepayment” under the Airlift NW AirCare Program.

Please provide the requested information no later than **August 16, 2013**. If you have questions I may be contacted by e-mail at [Katie.campbell@alaska.gov](mailto:Katie.campbell@alaska.gov) or by phone at 907-465-4607.

Ms. Deering  
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Page 2

Sincerely,

*Katherine S Campbell*

Katie Campbell, FSA, MAAA  
Life/Health Actuary  
Alaska Division of Insurance



BOB FERGUSON

**ATTORNEY GENERAL OF WASHINGTON**

University of Washington Division • Box 359475 • Seattle, Washington 98195-9475

August 7, 2013

Ms. Katie Campbell, FSA, MAAA  
Life /Health Actuary  
Alaska Division of Insurance  
P.O. Box 10805  
Juneau, Alaska 99811-0805

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JUNEAU OFFICE

**Re: AirCare Program - Alaska**

Dear Ms. Campbell:

I represent the University of Washington, which operates Airlift Northwest air medical transport service. I write in response to your July 16, 2013 letter in which you requested additional information in order to assess the applicability of Airlift Northwest's exemption under AS 21.87.010. Please refer to the enclosed Airlift Northwest AirCare Membership brochure, which explains the benefits, terms and conditions of the AirCare Membership Program.

As a preliminary matter, Airlift Northwest has respected the prior director's caveat against "lifetime memberships." Airlift Northwest has not, and absent a change in the law, will not, offer lifetime memberships in the State of Alaska.

With respect to your specific requests, please be advised that:

1. The only change to Airlift Northwest's AirCare Membership Program over the years has been to add a new Vacation Membership package. This change became effective on July 1, 2013. The Vacation Memberships are available for those who are vacationing in Southeast Alaska and are valid for three consecutive months. More details on this program are set forth in the brochure.
2. Airlift Northwest was started in 1982 by Dr. Michael Copass and a consortium of hospitals in the Seattle area, including UW Medical Center, Seattle Children's and Harborview Medical Center, to bring high-quality air medical transportation to the

# ATTORNEY GENERAL OF WASHINGTON

Letter re: AirCare Program - Alaska  
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HEAD OFFICE

Pacific Northwest Region. In 2003, UW Medical Center, Harborview and Children's entered into a transition agreement transitioning Airlift Northwest from a contractual consortium of member hospitals to a non-profit corporation. Airlift Northwest enjoyed Federal Tax Exempt status as a charitable organization under IRS code 501(c)(3). In 2010 the corporate form of Airlift Northwest was unwound, the assets were apportioned among the former corporate members, and the University of Washington assumed operation of the air medical transport service known as Airlift Northwest. The University has been operating Airlift Northwest since that time as a component of its health system, UW Medicine.

The University of Washington is a public, non-profit institution of higher education, established pursuant to legislative decree as set forth in 28B.20 of the Revised Code of Washington. The legislature designated the field of medicine as one of the University's major lines of study (RCW 28B.20.060, 28B.20.300). In 1945, the legislature authorized the University's Board of Regents to operate, and directed it to establish, schools of medicine, dentistry and related health sciences (RCW 28B.20.305). In 1947, the legislature authorized the Regents to operate a hospital in conjunction with the University's medical and dental schools (RCW 28B.20.440). Today, Airlift Northwest is one of eight component entities of the University of Washington's health system.

The University of Washington is a governmental tax-exempt entity. It is exempt from federal income taxes under Internal Revenue Code (IRC) §115(1). Contributions to the University are deductible by donors under IRC §170. The University qualifies as both a state university described in IRC §511(a)(2)(b) and a government entity under IRC §170(c)(1). It is subject to the laws and regulations governing agencies of the State of Washington and has its own regulatory authority, which is codified under Title 478 of the Washington Administrative Code.

As one of the University's healthcare components, Airlift Northwest is a governmental operation, rather than a "corporation." I was able to locate the Alaska Statute provisions you cited in your letter and see that AS 21.87.010 also lists as exempt from the requirements of AS chapter 21.87 services provided by a municipality or non-profit association. Because it is an operation of a government agency, I respectfully submit that Airlift Northwest would qualify under the categories of municipality and nonprofit association, and I note that in 2008, the State of Alaska authorized Airlift Northwest to provide the subscription membership services it continues to provide today. I am enclosing for your review a copy of Ms. Linda Hall's August 26, 2008 letter to that effect, as well as copies of Airlift Northwest's current Alaska business license and

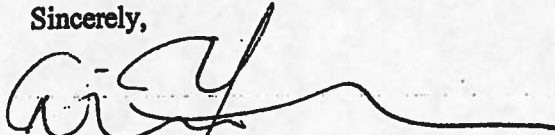
**ATTORNEY GENERAL OF WASHINGTON**

Letter re: AirCare Program - Alaska  
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certification as a Critical Care Air Ambulance meeting the requirements established pursuant to AS 18.08.080. Please refer to the enclosed brochure for a detailed explanation of what services are being provided in exchange for payment under the Airlift Northwest AirCare Program.

I hope this information is useful. Please feel free to contact me with any questions or if I can be of further assistance.

Sincerely,



DINA L. YUNKER  
Assistant Attorney General

Encl.

cc: C. Martin, Executive Director, Airlift Northwest  
C. McFeely, Director of Finance, Airlift Northwest  
S. Deering, Alaska Regional Manager, Airlift Nort

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Alaska Business License # 945296

**Alaska Department of Commerce, Community, and Economic Development**  
Division of Corporations, Business and Professional Licensing  
P.O. Box 110806, Juneau, Alaska 99811-0806

This is to certify that

**AIRLIFT NORTHWEST**

6505 PERIMETER ROAD S STE 200 SEATTLE WA 98108

owned by

UNIVERSITY OF WASHINGTON

is licensed by the department to conduct business for the period

October 19, 2011 through December 31, 2013  
for the following line of business:

62 - Health Care and Social Assistance

This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location.  
It is not transferable or assignable.

Susan K. Bell  
Commissioner

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# STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

Division of Public Health  
Section of Injury Emergency Programs, EMS Unit

SEAN PARNELL, GOVERNOR  
P.O. BOX 110818  
JUNEAU, AK 99811-0818  
PHONE: (907) 465-3027  
FAX: (907) 465-4101

December 21, 2011

Shelly Deering RN, Alaska Regional Manager  
Airlift Northwest  
8429 Livingston Way  
Juneau, AK 99801

Dear Ms. Deering,

Congratulations to Airlift Northwest on becoming recertified as an emergency medical service under 7 AAC 26.010 – 7 AAC 26.999. A copy of your new certificate is enclosed, containing the following information:

Name of Agency:	Airlift Northwest
Level of Certification:	Critical Care Air Ambulance Service
Certificate Issue Date:	December 21, 2011
Certificate Expiration Date:	December 31, 2013
Certification Number:	7010

Let me know immediately if you have changes in staffing, equipment or training that will affect your ability to comply with applicable statutes and regulations and if you have a change in your physician medical director.

Please let me know if I can be of additional assistance.

Sincerely,



Jim Gaines  
EMS Training Coordinator

cc: Bobbi Leichty, SEREMS

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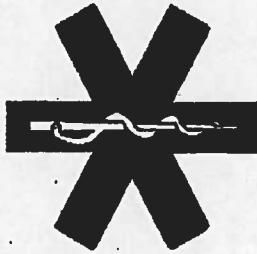
# STATE OF ALASKA

DEPARTMENT OF HEALTH & SOCIAL SERVICES  
DIVISION OF PUBLIC HEALTH  
SECTION OF EMERGENCY PROGRAMS



THIS CERTIFIES THAT

*AIRLIFT NORTHWEST*



MEETS THE REQUIREMENTS ESTABLISHED PURSUANT TO  
ALASKA STATUTE 18.08.080 AND DELINEATED IN TITLE 7,  
CHAPTER 26 OF THE ALASKA ADMINISTRATIVE CODE AND IS  
HEREBY CERTIFIED AT THE LEVEL STATED BELOW AND IS  
AUTHORIZED TO FUNCTION IN ACCORDANCE WITH THE SCOPE OF  
PRACTICE PERMISSIBLE FOR THAT LEVEL OF CERTIFICATION.

**Critical Care Air Ambulance**

DATE OF ISSUE December 21, 2011

DATE OF EXPIRATION December 31, 2013

CERTIFICATION NUMBER 7010

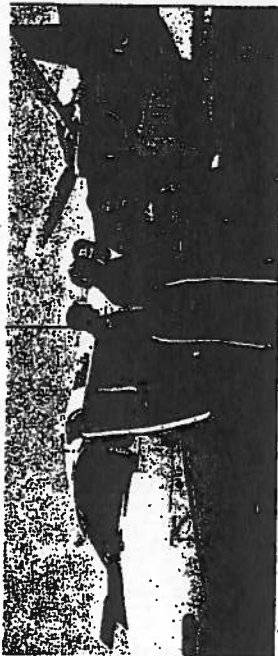
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DEPUTY DIRECTOR, PUBLIC HEALTH

EMS UNIT MANAGER



**AIRLIFT NORTHWEST is pleased to offer AirCare membership, a program that provides Washington and Southeast Alaska residents with high-quality air medical transport service at an affordable cost.**

When you or a family member are seriously ill or injured, the attending physician or emergency response team may determine that air medical transportation is needed. Utilizing air medical transport can be expensive and may not cover all costs. As an AirCare member, you may be eligible for a special membership rate. AirCare membership is available to Washington and Southeast Alaska residents who are not dependent on any dependent claimed on your income tax return. All members are required to have valid health insurance coverage. Members must be listed on the membership form.

**New - Vacation Membership**  
 AirCare membership now offers a special membership package to those vacationing in Washington or Southeast Alaska, but who are not residents of those states. Vacation memberships are good for three consecutive months and cost \$40 for Washington residents and \$80 for Southeast Alaska residents.

**Coverage**  
 As an AirCare member, you are covered by AirCare membership - with broad-based emergency air medical transport for Washington and Southeast Alaska - and by your primary health insurance. For more information about our reciprocal program, visit [www.aircare.org](http://www.aircare.org).

**Enroll today!**  
 Visit [www.aircare.org](http://www.aircare.org) to enroll online. For more information, call 888.835.1599 or email [membership@aircare.org](mailto:membership@aircare.org).

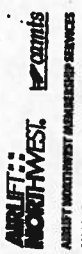
**About Airlift Northwest**  
 Airlift Northwest is a non-profit provider of air medical transport services in the Pacific Northwest dedicated to providing safe, efficient air medical transport to critically ill and injured infants, children and adults.

All aircraft with seats of two or more certified in advanced cardiac life support, advanced trauma life support, pediatric advanced life support, trauma nursing care, neonatal resuscitation, critical care nursing, emergency nursing and flight nursing.

This level of expertise is unique in the air medical industry and comparable to that found in a hospital emergency department. Airlift Northwest aircraft and crews are certified by the Commission on Accreditation of Medical Transport Services.

**Mission of Caring**  
 Airlift Northwest is committed to the region and provides a substantial amount of financial assistance to a Mission of Caring fund for those in need.

If you would like to help support Airlift Northwest's Mission of Caring fund, please indicate your donation on the membership form.



**AIRLIFT NORTHWEST MEMBERSHIP SERVICES**  
 6000 Northwest Blvd South, Suite 200  
 Seattle, Washington 98148  
 888.835.1599 [www.aircare.org](http://www.aircare.org) [membership@aircare.org](mailto:membership@aircare.org)

**MEMBERSHIP ENROLLMENT**  
 NEW  RENEWAL  GIFT  UPGRADE

NAME OF PRIMARY MEMBER \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY STATE ZIP \_\_\_\_\_  
 PHONE \_\_\_\_\_  
 FAX \_\_\_\_\_  
 EMAIL \_\_\_\_\_

**ADDITIONAL HOUSEHOLD MEMBERS**

FIRST NAME LAST NAME \_\_\_\_\_  
 RELATIONSHIP \_\_\_\_\_  
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