

No Surprises Act: What You Need to Know

Overview

The No Surprises Act, signed into law December 2020, was created to prevent patients from owing large sums of money after unknowingly receiving out-of-network services. Under the American health insurance system, individuals are often required to choose care from in-network providers for costs to be covered. However, in some situations (such as in cases of emergency) patients aren't given a choice.

The No Surprises Act provides federal protection against surprise billing for specific out-of-network services for patients in group health plans or with group or individual health insurance coverage.

Key points

The No Surprises Act provides these protections by imposing two main requirements:

Balance Billing Prohibition

- Facilities and providers cannot bill patients for costs not covered by insurance (beyond in-network cost-sharing requirement) in cases of emergency services
- Out-of-network providers delivering non-emergency services at an in-network facility cannot balance bill a patient unless specific notice and consent requirements are followed (where permitted)

Good Faith Estimate (GFE)

- Healthcare providers and facilities must give uninsured and self-pay patients a GFE of expected charges, services, and diagnostic codes 1-3 business days after scheduling or upon request
- The GFE must inform patients of their right to initiate a dispute resolution process if specific requirements are met

By the numbers



1/5 insured adults has received a surprise medical bill in the past 24 months

Non-compliance could see penalties up to

\$10,000

More information

While simple in general concept, the No Surprises Act includes several detailed requirements, and specific actions for preparation will vary based on many factors. Click the links below for additional information about how to implement the requirements of the law:

- [The Centers for Medicare and Medicaid Services](#)
- [The American Medical Association](#)
- [The Medical Group Management Association](#)

If you are a Curi member or Curi Advisory client with additional questions, you can reach out to Sam Cohen, Curi's Managing Director of Health Policy, at sam.cohen@curi.com or our Risk Solutions team at risk.oncall@curi.com.