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Insights

Don’t Be Caught by Surprise! Prepare for New Medical Surprise Billing Laws Effective January 1, 2022

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On July 1, 2021, several federal regulatory departments took their first steps toward finalizing **new regulations** implementing a new federal law that eliminates surprise medical bills. The law, the **No Surprises Act**, attempts to achieve that objective by changing the way out-of-network providers seek payment from insured patients who receive treatment at an in-network facility. Among other things, the No Surprises Act directs certain federal departments to publish regulations to implement the law and to establish an independent dispute resolution panel to address payment disputes between uninsured patients and providers and between insurers and providers.

Those federal departments have taken a phased-in approach to their rulemaking. The Phase I interim final rule, published July 1, 2021, prohibits out-of-network providers from balance billing their insured patients and establishes uniform standards for determining a patient’s cost-sharing obligations. Federal departments intend to establish the independent dispute resolution process during Phase II toward the end of the year. The Phase I regulations are intended to become effective on January 1, 2022.

If you are interested in learning more, please join a webinar hosted by the Indianapolis Bar Association on July 21, 2021. During that presentation, we will discuss the No Surprises Act, the proposed federal regulations, and Indiana’s surprise billing laws. Please register **here** before July 21, 2021 to participate.

You may contact **Brandon W. Shirley** if you have questions about your facility’s compliance with the No Surprises Act or Indiana’s surprise billing laws.

Disclaimer. The contents of this article should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult with counsel concerning your situation and specific legal questions you may have. In addition, marijuana remains a federally illegal schedule I drug. All activities related to marijuana are currently illegal under the federal laws of the United States and nothing contained on this alert is intended to assist in any way with violation of applicable law.