

AAMS Member Alert: Compromise on Balance Billing Legislation

Multiple House and Senate Committee leaders reached a compromise on balance billing legislation late Friday night that includes provisions for air ambulance providers and will have a dramatic impact on the healthcare community as a whole. A press release on the compromise, and the full text of the draft legislation and a “section-by-section” summary, can be found here:

<https://waysandmeans.house.gov/media-center/press-releases/congressional-committee-leaders-announce-surprise-billing-agreement>

The bill would prevent the balance billing of patients, provides a no-threshold arbitration process, and includes data collection language on industry costs and claims—all elements of a solution that AAMS has long supported. However, the bill also adds several new considerations to the arbitration process, such as the consideration of the median-in-network rate—that would be difficult to determine, especially in certain areas of the United States—it would also require the arbitration process to consider aspects of training and quality of the provider as well as the vehicle (in this case, the aircraft) used to transport the patient. While these are important factors to consider in payment, there are no nationally recognized data metrics on which to consider these factors, and they could be used to favor insurers in the arbitration process.

House and Senate staff for the supporting committees asked AAMS to consider supporting this proposal’s inclusion in end-of-year legislation. The AAMS Board of Directors is currently considering that support while sharing our concerns with Congressional members. Congress is set to adjourn on December 18th.

Please review this important information; also keep in mind the dramatic impact it has on hospitals and first responders; while the entire healthcare community is united in advocating for a solution to balance billing that takes the patient out of the middle of billing disputes, it cannot be done in way that sacrifices healthcare services, especially during this unprecedented global health emergency.