Affordable, Quality Health Coverage

Request: Introduce legislation to address surprise medical bills

Background on Surprise Billing

- According to a Kaiser Family Foundation survey, nearly 7 in 10 people with unaffordable out-of-network medical bills were unaware the provider was out-of-network.
- A surprise bill could occur when an insured individual is billed the difference between the rate paid by the health plan and the out-of-network providers’ charges.
- Currently, 25 states and DC do not have surprise billing protections, according to the Commonwealth Fund. Nine states have comprehensive surprise billing protections, and 16 states have partial protections.
- Federal legislation is needed to address surprise billing.

Vital Component to Address Surprise Billing

Hold the individual harmless:

- Individuals can not reasonably be expected to know that certain providers are out-of-network when they seek care at an in-network facility. In fact, they are often not in control of who provides their care. Individuals should not receive a surprise bill when they seek care in an in-network facility.
- Moreover, in an emergency, individuals often do not have control over who provides their care beginning with the ambulance provider to the emergency room physician. Surprise billing reform should protect the individual in all settings of care, including, but not limited to, emergency care.

Notification:

- Individuals need reasonable notification if the facility or provider is out-of-network. Even after checking with the insurer and facility or provider, some individuals will later find that they were provided out-of-network care only when they receive a large medical bill.
- When scheduling appointments for non-emergency care individuals should be notified before they are provided care if the provider/facility is out-of-network, as well as the estimated costs they could incur.
- Additionally, health plan provider directories should include up to date and accurate information.

What is multiple sclerosis (MS)?

- MS is an unpredictable, often disabling disease of the central nervous system.
- Symptoms range from numbness and tingling to blindness and paralysis.
- The progress, severity and specific symptoms of MS in any one person cannot yet be predicted.
- Nearly 1 million people in the United States—more than twice the previously reported number—are living with MS, according to a landmark study.

Surprise billing and the impact on those living with MS

- A Kaiser Family Foundation poll found that 67 percent of Americans fear unexpected medical bills.
- The issue is even more critical for those with MS. A 2013 study in the journal *Multiple Sclerosis and Related Disorders* found that individuals with MS had 5.1 times higher direct medical expenditures than those without MS.
Protect Patients From Surprise Billing

When Scott Bartholomew got in a horrible car accident, he never expected to have to deal with surprise billing.

Scott has lived with multiple sclerosis since 2000, and because of his MS, his injuries weren’t just isolated to the accident; they exacerbated his MS symptoms.

“My neck injury was hard to separate from my MS,” he says. “Because of my MS, I’m pretty much paralyzed on my right side. After the accident, my left side wasn’t working.”

Because Scott’s neurologist of 15 years was out of town, his primary care doctor referred him to another neurologist. Scott called his insurance company to confirm the new neurologist was in his network.

When he arrived at his appointment, the staff told him his new neurologist was unavailable because she was on leave, and someone made a scheduling error.

Since it was an office of just two neurologists under the same medical group, Scott was told it was fine to see the other doctor in the office, so he stayed for the exam.

Within 10 days of the appointment, he was stunned to see a large bill—Scott’s insurance company told him the doctor he saw was out-of-network. With no one in his corner, Scott had to fight the charge himself, despite having done his due diligence as a patient before the appointment.

For those living with a chronic and progressive disease like MS, surprise billing adds undue stress. It needs to be made clear beforehand when a provider is out-of-network.

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“The stress and aggravation involved to straighten this out only added to my daily fight in dealing with my MS. It felt like a punch in the gut, and it shows you can be a knowledgeable healthcare consumer and get hit by a surprise medical bill,” he says. “What if someone doesn’t have the ability to go back and forth with their insurer and provider to dispute the charge? They might just pay it, or worse, it gets sent to collections because they don’t have the financial resources to pay the bill.”

Individuals should be held harmless as healthcare providers and insurance companies resolve surprise billing disputes. The care and health of individuals should be the first and only priority.