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NCOIL PASSES MODEL LAW ON CONTROVERSIAL HEALTH BALANCE BILLS

Washington, DC, March 6, 2011—After two years of work, insurance legislators today at the Spring Meeting here unanimously approved a *Healthcare Balance Billing Disclosure Model Act* to enhance healthcare transparency in the states in relation to controversial balance billing practices. Members of the National Conference of Insurance Legislators (NCOIL) Executive Committee took action on the model law—which will provide accountability and disclosure to consumers by health facilities, insurers, and facility-based providers—after the Health, Long-Term Care & Health Retirement Issues Committee unanimously adopted the model on Saturday.

Following Executive Committee action, NCOIL President Rep. George Keiser (ND) said, “At a time when health costs are rising, the model will require needed information about consumer health benefits and financial responsibilities and promote informed decisions. At present, consumers are often surprised to be balance-billed by out-of-network providers working at an in-network facility for differences between medical charges and what insurers will reimburse.

The model establishes pre-and post-treatment disclosures about insurance networks, balance bills, and financial responsibilities, including notices from healthcare facilities and health insurers that although a facility is covered by an insurance plan, the facility-based providers may not be. The model also provides for listings of providers and contact information and detailed billing statements, among other things.

Extensive NCOIL efforts to develop the model include a 2009 special session and a several conference calls with interested parties, including:

- American College of Emergency Physicians (ACEP)
- American College of Radiology (ACR)
- American Hospital Association (AHA)
- American Medical Association (AMA)
- America’s Health Insurance Plans (AHIP)
- American Society of Anesthesiologists (ASA)
- California Hospital Association (CHA)
- College of American Pathologists (CAP)
- Council for Affordable Health Insurance (CAHI)
- Emergency Department Practice Management Association (EDPMA)
- Families USA
- Hospital & Healthsystem Association of Pennsylvania

- Louisiana Department of Insurance
- Metropolitan Hospital Council of New Orleans
- Radiology Business Management Association
- Texas Department of Insurance
- Texas Medical Association

The draft model—which builds on new Texas and Louisiana laws as well as other state activity—was developed by an NCOIL Subcommittee in 2010 and sent to the full Health Committee last November.

The 2011 Spring Meeting took place from March 4 through 6 at the Hyatt Regency on Capitol Hill.

NCOIL is an organization of state legislators whose main area of public policy interest is insurance legislation and regulation. Most legislators active in NCOIL either chair or are members of the committees responsible for insurance legislation in their respective state houses across the country. More information is available at www.ncoil.org.

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