

## **Multiple Ancillary Groups Concerned with the Pause of the No Surprises Act IDR**

Recently, the No Surprises Act (NSA) Independent Dispute Resolution (IDR) process was disabled by CMS.

Radiology, Pathology, Anesthesiology and Emergency Medicine societies have growing concerns due to the extended closure of the portal, which is the only source to settle out of network disputes with payers. The portal was frozen by a federal judge due to the fee increasing from \$50 - \$350 which is an increase of 600%.

Providers challenged the fee since most claims were in some instances less than the fee to arbitrate the dispute. This gives the payers an unfair advantage and leaves many providers having to accept payments well below fair market value.

Another concern is the backlog of pending arbitration cases that continue to pile up. Providers face a cash flow problem due to not having a way to resolve underpaid claims timely.

Radiologists, anesthesiologists and emergency physicians have requested the federal government to consider making alterations to the rules for batching similar claims. If providers continue to submit single claims, the IDR process will become congested, therefore creating an even larger problem. Provider groups are merely pointing out a valid concern to allow the backlog to process timely and make the process easy for all parties involved.

The NSA is a well-executed law to serve and protect patients from surprise medical bills; however, it cannot serve its purpose if the providers do not have the necessary resources to submit underpaid claim disputes.

The federal judge ruled that during the pause the “dispute resolution could continue uninterrupted.” This being the case, the various specialty societies are voicing concern as additional weeks continue to pass by.

As changes continue to be made to this topic and many others, APS will keep you informed. If you have additional questions regarding this issue or any other issues shared by APS, do not hesitate to contact your Practice Manager.