

## **Surprise Billing Out of Network Notice Required as of January 1<sup>st</sup> in Indiana**

The State of Indiana recently passed a law that, as of date of service (DOS) January 1, 2018, Indiana physicians are responsible for notifying their patients if they are referring them to an out of network provider. This bill will affect primary care physicians, most often, since they refer patients more often than other physicians.

House Bill (HB) 1273 requires that physicians notify their patients in writing, either on paper or electronically, that they will be referring them to an out of network provider that states all of the following:

1. That an out of network provider may be called upon to render medical services or items during the course of treatment to the covered patient.
2. That an out of network provider is not bound by the patient's network payment provisions for services rendered by an in network provider under the patient's covered plan.
3. That the covered patient may contact their health plan about receiving services or items from an out of network provider.

The notification requirements of this new bill do not apply to the following:

1. A referral for treatment of an emergency medical condition.
2. A referral made:
  - a. immediately following treatment of an emergency medical condition; and
  - b. by the provider that rendered the treatment of the emergency medical condition.
3. A referral for medically or psychologically necessary therapeutic services rendered to an admitted patient in:
  - a. a hospital; or another facility to which a patient may be admitted for more than twenty-four (24) hours.

If you have any questions or concerns, please contact your APS Practice Manager.

The entire HB 1273 can be found at the below website.

<https://iga.in.gov/legislative/2017/bills/house/1273#document-a434edc2>