



**Surprise Medical Bills Disclosure:
Your Rights and Protections Against Surprise Medical Bills**

When you get emergency care or are treated by an out-of-network provider at an in-network hospital or ambulatory surgical center, you are protected from balance billing. In these cases, you shouldn't be charged more than your plan's copayments, coinsurance and/or deductible.

Kentuckians can call the No Surprises Act help desk at 800-985-3059 or visit the federal website at <https://www.cms.gov/nosurprises> for helpful resources. If you receive a surprise billing, contact your insurer and the Department of Insurance (DOI) at 800-595-6053.

What is “balance billing” (sometimes called “surprise billing”)?

When you see a doctor or other health care provider, you may owe certain out-of-pocket costs, like a copayment, coinsurance, or deductible. You may have additional costs or have to pay the entire bill if you see a provider or visit a health care facility that isn't in your health plan's network. “Out-of-network” means providers and facilities that haven't signed a contract with your health plan to provide services. Out-of-network providers may be allowed to bill you for the difference between what your plan pays and the full amount charged for a service. This is called “balance billing.” This amount is likely more than in-network costs for the same service and might not count toward your plan's deductible or annual out-of-pocket limit. “Surprise billing” is an unexpected balance bill. This can happen when you can't control who is involved in your care—like when you have an emergency or when you schedule a visit at an in-network facility but are unexpectedly treated by an out-of-network provider. Surprise medical bills could cost thousands of dollars depending on the procedure or service.

You are protected from balance billing for:

Emergency services

If you have an emergency medical condition and get emergency services from an out-of-network provider or facility, the most they can bill you is your plan's in-network cost-sharing amount (such as copayments, coinsurance, and deductibles). You can't be balance billed for these emergency services. This includes services you may get after you're in stable condition, unless you give written consent and give up your protections not to be balance billed for these post-stabilization services.

In addition to the protections of the Federal No Surprises Act, the state in which you receive services may have protections that apply to your visit for emergency or non-emergency services. Additional information is available from other state governments. See page 4-5. The Federal protections exceed state protections in almost every state.

The following states limit the amount an out-of-network provider and out-of-network facility can bill you for emergency services: CA, CT, FL, GA, IA, MD, MI, NJ, NY, OH, PA. The amount is limited to your in-network cost sharing amount.

The following states limit the amount an out-of-network provider can bill you for emergency services to your in-network cost sharing amount: DE, IN, IL, MA, OR. OH also provides protections relating to lab services. Several states have dispute resolution processes (CA, FL, GA, IL, NJ, NY, MI) and several states establish the amounts providers may be paid (CA, CT, DE, FL, GA, MD, MI, OR).

Certain services at an in-network hospital or ambulatory surgical center

When you get services from an in-network hospital or ambulatory surgical center, certain providers there may be out-of-network. In these cases, the most those providers can bill you is your plan's in-network cost-sharing amount. This applies to emergency medicine, anesthesia, pathology, radiology, laboratory, neonatology, assistant surgeon, hospitalist, or intensivist services. These providers **can't** balance bill you and may not ask you to give up your protections not to be balance billed. If you get other types of services at these in-network facilities, out-of-network providers **can't** balance bill you, unless you give written consent and give up your protections.

You are never required to give up your protections from balance billing. You also are not required to get out-of-network care. You can choose a provider or facility in your plan's network.

In addition to the protections of the Federal No Surprises Act, the state in which you receive services may have protections that apply to non-emergency services at an in-network facility. Additional information may be available on your state's website. See pages 4-5.

When balance billing is not allowed, you also have these protections:

- You're only responsible for paying your share of the cost (like the copayments, coinsurance, and deductible that you would pay if the provider or facility was in-network). Your health plan will pay any additional costs to out-of-network providers and facilities directly.
- Generally, your health plan must:
 - Cover emergency services without requiring you to get approval for services in advance (also known as "prior authorization").

- Cover emergency services by out-of-network providers.
- Base what you owe the provider or facility (cost-sharing) on what it would pay an in-network provider or facility and show that amount in your explanation of benefits.
- Count any amount you pay for emergency services or out-of-network services toward your in-network deductible and out-of-pocket limit.
-

If you receive a surprise billing, contact your insurer and the Department of Insurance (DOI) at 800-595-6053.

The federal phone number for information and complaints is: 1-800-985-3059. Visit www.cms.gov/nosurprises/consumers for more information about your rights under federal law.

Visit

<https://kentucky.gov/government/Pages/AgencyProfile.aspx?Title=Department%20of%20Insurance> for more information about your rights under Kentucky state laws.

Addendum – State Contacts & Consumer Protection Information

State	Department of Attorney General	Surprise Billing or Department of Insurance	State Balance Billing Website
CA	https://oag.ca.gov/contact/consumer-complaint-against-business-or-company	www.HealthHelp.ca.gov 1-888-466-221	https://dmhc.ca.gov/portals/0/healthcareincalifornia/factsheets/fsab72.pdf
CT	https://portal.ct.gov/CID/Consumer-Affairs/File-a-Complaint-or-Ask-a-Question	Consumer Helpline: (800) 203-3447 or (860) 297-3900	https://portal.ct.gov/AG/Common/Complaint-Form-Landing-page
DE	https://insurance.delaware.gov/	https://legis.delaware.gov/SessionLaws/Chapter?id=19067#:~:text=%22(11)%20Balance%20billing,will%20pay%20for%20the%20service.%22&text=Arbitration%20of%20disputes%20involving%20health%20insurance%20coverage	https://attorneygeneral.delaware.gov/fraud/cmu/complaint/
FL	http://www.myfloridalegal.com/pages.nsf/Main/E3EB45228E9229DD85257B05006E32EC 1-877-693-5236 OutofState: 850-413-3089 Consumer.Services@myfloridacfo.com	https://floir.com/Sections/LandH/AccidentHealth/EducationalMaterials.aspx	Consumer.Services@myfloridacfo.com
GA	https://consumer.georgia.gov/resolve-your-dispute/how-do-i-file-complaint/consumer-complaint-form#no-back (404) 651-8600 or (800) 869-1123 toll free outside Metro Atlanta	https://oci.georgia.gov/file-consumer-insurance-complaint	https://oci.georgia.gov/news/2020-12-30/office-commissioner-insurance-and-safety-fire-posts-final-surprise-billing
IA	https://www.iowaattorneygeneral.gov/for-consumers/file-a-consumer-complaint	https://iid.iowa.gov/insurance-consumer-complaint	https://www.iowaattorneygeneral.gov/for-consumers/file-a-consumer-complaint/complaint-form
ID	https://www.ag.idaho.gov/consumer-protection/consumer-complaints/	https://doi.idaho.gov/consumers/file-a-complaint/	Law has not yet passed

State	Department of Attorney General	Surprise Billing or Department of Insurance	State Balance Billing Website
IL	Health Care Bureau Complaint Form (illinoisattorneygeneral.gov)	https://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=096-1523 1-877-305-5145	Understanding the Insurance Complaint Process (illinois.gov)
IN	https://www.in.gov/attorneygeneral/consumer-protection-division/file-a-complaint/	https://www.in.gov/idoi/consumer-services/complaints/	https://legiscan.com/IN/bill/HB1004/2020
MD	https://www.marylandattorneygeneral.gov/pages/cpd/complaint.aspx	https://insurance.maryland.gov/Consumer/Pages/FileAComplaint1.aspx	https://insurance.maryland.gov/Consumer/Documents/publications/AssignmentofBenefitsFAQ.pdf
MA	https://www.mass.gov/how-to/file-a-consumer-complaint	https://www.mass.gov/how-to/filing-an-insurance-complaint	https://www.mass.gov/doc/out-of-network-billing-in-massachusetts-chartpack/download
MI	https://www.michigan.gov/documents/ag/Consumer_Complaint_Form_-_paper_642450_7.pdf	833-ASK-DIFS (833-275-3437)	https://www.michigan.gov/difs/0,5269,7-303--560598--,00.html
NJ	https://www.njoag.gov/contact/file-a-complaint/	https://www.nj.gov/dobi/division_consumers/insurance/outof-network.html	https://www.nj.gov/dobi/division_insurance/oonarbitration/data/20131report.html
NY	https://ag.ny.gov/consumer-frauds/Filing-a-Consumer-Complaint	https://www.dfs.ny.gov/complaint	https://www.dfs.ny.gov/consumers/health_insurance/surprise_medical_bills
OH	https://www.ohioattorneygeneral.gov/Individuals-and-Families/Consumers/File-a-Complaint	surprisebilling@insurance.ohio.gov	https://insurance.ohio.gov/wps/portal/gov/odi/consumers/health/surprise-billing
OR	https://www.doj.state.or.us/wp-content/uploads/2017/08/consumer_complaint.pdf	https://dfr.oregon.gov/help/complaints-licenses/Pages/file-complaint.aspx 888-877-4894 (toll-free).	https://dfr.oregon.gov/news/2018/Pages/20180301-balance-billing.aspx
PA	https://www.attorneygeneral.gov/submit-a-complaint/health-care-complaint/	https://www.insurance.pa.gov/Consumers/insurance-complaint/Pages/default.aspx	https://www.insurance.pa.gov/Documents/Balance%20Billing/Kevin%20Lucia.pdf