

## 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.

### **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're 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.

Michigan law also prevents providers and facilities from billing you more for out-of-network emergency services than you would have paid if the services were in-network.

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

Michigan law also protects you from being balance billed for non-emergency services provided by an out-of-network provider at an in-network facility if you didn't have the ability to choose an in-network provider, didn't receive a Michigan balance billing disclosure, or if you have been admitted after seeking emergency treatment at an in-network facility. See Michigan Public Health Code Act 368 of 1978, Section 333.24501-333.24517

Minnesota law protects you against balance billing for certain emergency and non-emergency services. See Minnesota Statutes 62K.11, 62Q.55, and 62Q.556

**When balance billing isn't 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 think you've been wrongly billed, you may:**

- File an appeal with your insurance company.
- Call the No Surprises Help Desk at 1-800-985-3059.
- Contact the federal Department of Health and Human Services @ <https://www.cms.gov/nosurprises/consumers/complaints-about-medical-billing>.
- In Wisconsin, contact the Wisconsin Office of the Commissioner of Insurance, 125 South Webster St., Madison, WI 53703-3474; or call (608) 266-3585.
- In Michigan, contact the Michigan Department of Insurance and Financial Services at (877) 999-6442, online [www.michigan.gov/DIFScomplaints](http://www.michigan.gov/DIFScomplaints) or email [DIFScomplaints@michigan.gov](mailto:DIFScomplaints@michigan.gov).
- In Minnesota, contact the Minnesota Department of Health, Managed Care Section, PO Box 64975, St. Paul, MN 55164-0882; or call (800) 657-3916.