



# Compliance ALERT

## Price Transparency Rules for Hospitals, Ambulatory Surgical Centers, and Health Plans

Regulators have pre-released a [final rule](#) for hospitals and ambulatory surgical centers to publish not only their chargemaster rates provided today but also their discounted cash rates, rates negotiated with each insurer or provider network, and a de-identified range of minimum and maximum negotiated rates. These will need to be publicly provided by January 1, 2021, for a list of approximately 70 very common and a varied mix of 300 total “shoppable” services (non-urgent services that people can take time to shop around and schedule at their convenience).

In partnership with this concept, regulators also pre-released a [proposed rule](#) impacting insurance companies and non-grandfathered group health plans (even self-funded plans).

- First, insurers/plans will be required to provide members with real-time cost-sharing estimates for services the patient needs, including the provider’s negotiated rate, out-of-network allowed amounts, the amount of expected cost-sharing based on what the member has already paid toward the deductible and out-of-pocket limits for the year, and a few other disclosures.
- Second, the plan’s public website would have to disclose two machine-readable files:
  - One with all provider-negotiated rates, and
  - The other with all allowed amounts paid for out-of-network providers.
- Third, insurers may take credit toward their medical loss ratio (MLR) for “shared savings” payments to members that shop and choose “lower-cost, higher-value providers.”

Regulators do understand that provider care quality should accompany price information, so they are asking for public comment on ways to include quality information to enhance consumers’ ability to make the most informed decisions on more than price alone.

Public comments on the proposed rule will be accepted for 60 days following publication in the Federal Register. The [fact sheet](#) and [press release](#) are available now.

IMA will continue to monitor regulator guidance and offer meaningful, practical, timely information.

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