

HEALTH ISSUES

Alert No. 2021-H-7

September 16, 2021

Biden Administration Issues Proposed Rules to Promote Transparency in Air Ambulance Costs, Agent and Broker Compensation

The U.S. Departments of Health and Human Services (Centers for Medicare and Medicaid Services (CMS)), Labor (Employee Benefits Security Administration), and the Treasury (Internal Revenue Service), and the Office of Personnel Management (OPM) recently announced [proposed rules](#) that would require air ambulance plans, issuers, and providers of services to submit detailed data regarding air ambulance services specified in the reporting requirements of the *No Surprises Act*, a law addressing out-of-network billing that was enacted through the Consolidated Appropriations Act (“the Act”), 2021 ([H.R. 133](#), Division BB - Private Health Insurance and Public Health Provisions).

The proposed rules also outline CMS’s authority to fully enforce the *No Surprises Act* and the Transparency titles of the Act in states that either 1) do not have the authority to enforce or 2) fail to substantially enforce both provisions. The proposed rules also further increase transparency by requiring certain health insurance issuers to inform consumers of how agents or brokers who assist consumers with enrollment in individual health insurance coverage and short-term, limited-duration insurance are compensated, including both direct and indirect compensation.

These proposed rules issued by the Administration are the latest regulatory action in a series of rulemaking implementing the *No Surprises Act*.

If you have any questions regarding this *Academy Alert*, please contact Matthew Williams, senior health policy analyst (williams@actuary.org; 202-868-7001).

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