



Sarah Hansard of Bloomberg Law wrote the following article on 03/18/2020:

[Surprise Bills Likely for Covid-19 Patients, Insurer Group Warns](#)

- Surprise bill legislation could be pushed back from May until end of year
- Fear of affecting doctors during a pandemic one factor

By Sara Hansard | March 18, 2020 05:16PM ET | Bloomberg Law

Coronavirus patients who are treated in hospitals are likely to get surprise bills, a health insurance executive warned Wednesday.

“A lot more people are going to be seeking emergency care,” Adam Beck, vice president of employer health policy and initiatives at America’s Health Insurance Plans, said in a webinar. “Many under the system we have right now will get hit with surprise bills, even if they have coverage.”

But Beck acknowledged that the current focus on addressing the coronavirus pandemic will make it more difficult to get legislation passed this spring that would curb the practice of patients being billed unexpectedly for care from out-of-network providers.

There is bipartisan agreement in both the House and the Senate on legislation that would prevent health-care providers from billing patients for out-of-network care in emergencies or for treatment by out-of-network providers at in-network hospitals, but Congress has faltered on passage. Insurers and employers on the one side and doctors and hospitals on the other side disagree on how billing disputes should be resolved.

The odds have dropped for getting surprise billing legislation enacted this year, Loren Adler, associate director of the USC-Brookings Schaeffer Initiative for Health Policy at the University of Southern California Schaeffer Center for Health Policy and Economics, said in the webinar.

“It’s hard to imagine Covid-19 isn’t taking all the national attention for the foreseeable future” and possibly through the election, he said.

Covid-19 has taken over the conversation on Capitol Hill, Beck said. “I would hope for policymakers, that once we can take a breath and look at the scope of everything that puts strain on the health-care system, that we realize that this is actually something that probably needs to be addressed now more than it did even a few weeks ago,” he said.

Congress had been aiming to take up surprise billing legislation by May 22, when other health-care legislation must be approved. But “that’s far less certain at this point,” Beck said. The legislation could be delayed until the end of 2020, he said.

Congressional Leaders Want Passage

Leaders in the congressional committees handling the legislation early Wednesday indicated “there is still a strong desire to get this done,” Beck said.



Health insurers have pledged not to impose out-of-pocket fees on testing for coronavirus, and many have waived requirements that treatments be approved in advance. Patients still may face out-of-pocket costs for treatment if they get sick.

Despite insurers' pledges, Capitol Hill still has questions about how to ensure that patients treated in emergency rooms who may have the coronavirus won't get stuck with large out-of-network bills, Beck said.

Emergency Legislation a Possibility

It's possible surprise billing could be included in emergency legislation to address the coronavirus emergency, Beck said. One compromise reached between the Senate Health, Education, Labor and Pensions Committee and the House Energy and Commerce Committee would save about \$25 billion over a decade, which would help pay for other emergency funding.

But politically, "There's a lot of support right now for the work that particularly emergency medicine physicians are doing," and making sure hospitals have what they need, Beck said. "Politically, if anything is seen as potentially negatively impacting providers, that's going to be a factor" making it harder to pass, he said.

Action to prevent surprise billing could be part of legislation that includes "new, big subsidies for hospitals," Adler said.

"Once you're in an emergency room or an in-patient department, none of the bills so far are addressing the treatment side of the equation," Adler said. "There's certainly a potential for surprise bills there, which can start getting attention," he said.

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