CONGRESS SHOULD USE NEW YORK’S PROVEN LAW AS A FRAMEWORK FOR FEDERAL SURPRISE MEDICAL BILLS LEGISLATION

Every approach to end the surprise medical bill epidemic in the United States holds patients harmless, but the similarities end there. At issue is how disputes between insurers and physicians should be resolved. The House of Representatives’ bipartisan Ruiz-Roe policy framework, which uses the approach from New York state’s successful law, should be adopted, because it will ensure patients can access medical care in an emergency.

Ruiz-Roe is similar to New York state’s extremely successful law that:

- Is deterring some disputes from going to arbitration, reducing consumer complaints, and keeping premium growth lower than the national average.
- Uses an affordable arbitration system where the loser pays – and where insurers and physicians have each been successful half of the time, indicating the system’s fairness.
- Relies on fully independent data grounded in the cost of medical services to determine payments at arbitration—not biased benchmarks favored by insurers or anyone else.
- Is encouraging insurers to maintain physician networks that are adequate to meet patients’ needs in a medical emergency, giving patients access to physicians they need and financial protection they expect from their insurance coverage.

S. 1895, the Senate HELP Committee’s legislation, is similar to California’s failing law, that:

- Relies on an artificially low benchmark rate favored by insurers, as opposed to independent data grounded in true medical costs, to set reimbursement to physicians.
- Is giving insurers license to cut reimbursements well below the artificial ceiling set by the biased benchmark or simply terminate long-standing contracts with doctors. This is diminishing patient access to emergency and essential specialty care and increasing out-of-pocket costs and premiums.
- Is encouraging physician practices to go out of business or be purchased, encouraging more healthcare consolidation that continues to limit patients’ choice in doctors and raise prices.
- Has not solved the root cause of surprise medical bills: inadequate insurer-built physician networks and the steep cost of patients meeting their deductible under high-deductible health plans.

EVERYONE AGREES SURPRISE MEDICAL BILLS MUST STOP – HOW CONGRESS ACTS WILL HAVE A PROFOUND IMPACT ON PATIENT CARE

SUPPORT THE HOUSE OF REPRESENTATIVES’ RUIZ-ROE POLICY FRAMEWORK

Protect patients, establish a fair process, and preserve access to medical care