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Remarks of PHLP Executive Director Laval Miller-Wilson on the Implementation of the No Surprises Act

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Help is finally in sight for millions of Americans, including tens of thousands of Pennsylvanians, because the [No Surprises Act](#) (NSA) and its protections against surprise medical bills will take [effect](#) on January 1, 2022.

Surprise medical bills occur when insured consumers inadvertently receive care from out-of-network hospitals, doctors, or other providers they did not choose. These bills arrive for emergency care – when patients typically have little or no say in where they receive care. They also arise for non-emergency care when patients at in-network hospitals or other facilities receive care from ancillary providers (such as anesthesiologists) who are not in-network and whom the patient did not choose.

PHLP commends Pennsylvania Governor Tom Wolf & Pennsylvania Insurance Commissioner Jessica Altman for their strong interest in protecting consumers from this significant and onerous problem. Although the NSA is a federal law, states will also have a role in enforcement. Governor Wolf's and Commissioner Altman's commitment to implementing the No Surprises Act sends an important and inspiring message that all patients, from all walks of life, are important. We are hopeful that in the weeks and months ahead consumers will no longer be harmed by payment disputes between providers and insurance companies.

Surprise medical bills can happen to anyone. This is an issue that affects people from all walks of life. It is especially worrying when it affects working

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people and people on fixed incomes, who have limited resources to handle additional, unexpected medical expenses.

Patients are generally willing to do their homework and follow the rules of their health plan network, especially if staying within network can help keep care affordable. But no one should be expected to ask during an operation or emergency treatment, who is in their insurance network.

The No Surprises Act creates historic protections. To a large extent, oversight and enforcement will rely on complaints. That means educating consumers about their rights. Consumers will need to understand that they should not be overbilled for emergency services or for non-emergency out-of-network services while they are in in-network hospitals and facilities. We're committed to partnering with the Wolf administration and others to help the public understand these new rights and how to exercise them.

This includes the NSA's mandate for a new national complaints system for surprise medical bills, which launches January 1, 2022, with a toll free number for a "No Surprises Help Desk": 1-800-985-3059. The responsiveness of the new complaints systems and how they coordinate will also be important to watch.

We appreciate this chance to offer comments on this powerful consumer protection that will protect consumers from needless frustration and financial hardship.

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PHLP is a non-profit law firm that protects the health rights of low-income and underserved Pennsylvanians. The state's oldest nonprofit of its kind, PHLP advances its mission through direct legal service, education and training, and the advancement of sound policy and practice.

Through our Helpline, we serve thousands of individuals from across the state each year. We listen to our client's story and we translate their personal experience into a legal problem to be solved.

Taking what we learn from individual cases, we advocate for large-scale policy changes that help others across the state. We also build capacity among consumers, providers, and other advocates by getting out in the community to provide education and training. Using the law and advocacy, we ensure that Pennsylvanians meet their most basic needs and have a pathway to opportunity.