



## Your Rights and Protections Against Surprise Medical Bills

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### **What is “balance billing” (sometimes called “surprise billing”)?**

When you see a doctor or other health care provider, you may owe certain out-of-pocket costs, such as a copayment, coinsurance, and/or a deductible. You may have other costs or have to pay the entire bill if you see a provider or visit a health care facility that isn't in your health plan's network.

“Out-of-network” describes providers and facilities that haven't signed a contract with your health plan. Out-of-network providers may be permitted to bill you for the difference between what your plan agreed to pay and the full amount charged for a service. This is called “balance billing”. This amount is likely more than in-network costs for the same service and might not count toward your annual out-of-pocket limit.

“Surprise billing” is an unexpected balance bill. This can happen when you can't control who is involved in your care-like when you have an emergency or when you schedule a visit at an in network facility but are unexpectedly treated by an out-of-network provider.

### **You are protected from balance billing for:**

**Emergency services:** If you have an emergency medical condition and get emergency services from an out-of network provider or facility, the most the provider or facility may bill you is your plan's in network cost-sharing amount (such as copayments and coinsurance). You can't be balance billed for these emergency services. This includes services you may get after you're in stable condition, unless you give written consent and give up your protections not to be balanced billed for these post-stabilization services.

California law protects you from surprise medical bills when you go to an in-network health facility and receive care from an out-of-network provider without your consent. You will only have to pay your in-network cost sharing in that circumstance. Medical providers now cannot send you out-of-network bills when you follow your health insurer's requirements and go to an in-network facility.

**Certain services at an in-network hospital or ambulatory surgical center:** When you get services from an in-network hospital or ambulatory surgical center, certain providers there may be out-of-network. In these cases, the most those providers may bill you is your plan's in-network cost-sharing amount. This applies to emergency medicine, anesthesia, pathology, radiology, laboratory, neonatology, assistant surgeon; hospitalist, or intensivist. These providers can't balance bill you and may not ask you to give up your protections not to be balanced billed.

If you get other services at these in-network facilities, out of network providers cant balance bill you, unless you give written consent and give up your protections

You're never required to give up your protections for balance billing. You also aren't required to get care out-of-network. You can choose a provider or facility in your plans network.

California law protects you from surprise medical bills when you go to an in-network health facility and receive care from an out-of-network provider without your consent. You will only have to pay your in-network cost sharing in that circumstance. Medical providers now cannot send you out-of-network bills when you follow your health insurer's requirements and go to an in-network facility.

**When balance billing isn't allowed, you also have the following protections:**

- You are only responsible for paying your share of the cost (like the co-payments, coinsurance, and deductibles that you would pay if the provider or facility was in-network). Your health plan will pay out-of-network providers and facilities directly.
  
- Your health plan generally must:
  - Cover emergency services without requiring you to get approval for services in advance (prior authorization).
  - Cover emergency services by out-of-network providers.
  - Base what you owe the provider or facility (cost-sharing) on what it would pay an in-network provider or facility and show that amount in your explanation of benefits.
  - Count any amount you pay for emergency services or out-of-network services toward your deductible and out-of-pocket limit.

**If you believe you've been wrongly billed,** you may contact:

**California Department of Insurance** 1-800-927-4357 or <https://cadiapps.insurance.ca.gov>

**California Department of Managed Care** – 1-888-466-2219 or <https://dmhc.ca.gov>

Visit <https://www.cms.gov/nosurprises/consumer-protections> for more information about your rights under **Federal Laws**

Visit <http://www.insurance.ca.gov/01-consumers/110-health/60-resources/upload/AB-72-Fact-Sheet-Consumer-Protection-for-Surprise-Medical-Bills-rev2.pdf> for more information about your rights under **State Laws**