



# RLI Power Hour



## The RLI Power Hour Webinar: Don't Be Surprised by the “No Surprises Act” – Impact to Radiology Practices and What You Need to Know: Leadership Challenges

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President, ACR

Feb. 16, 2022

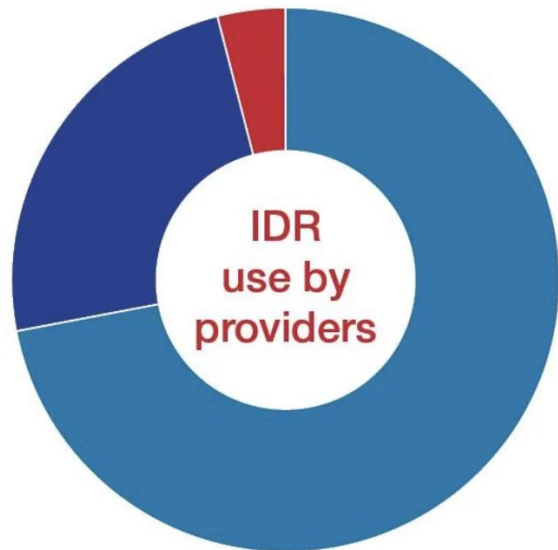
# Disclosures



- No Financial Disclosures
- President, ACR

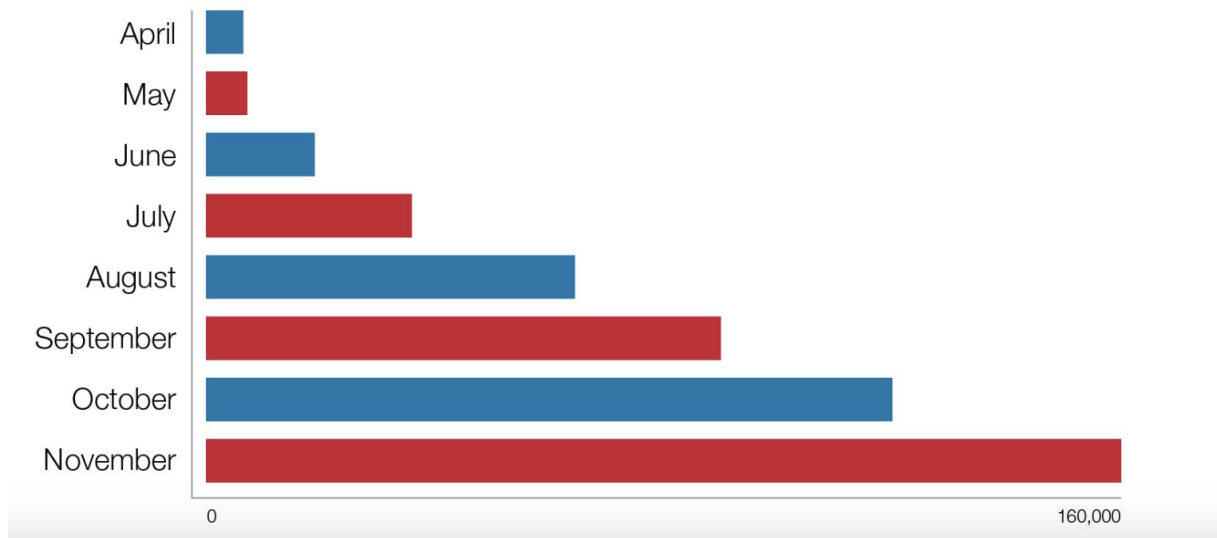
# Agenda

- The Issues
- Government Relations
- The Power of Coalition
- Communication
- Legal Timeline



- Emergency services
- Non-emergency services
- Air ambulance services

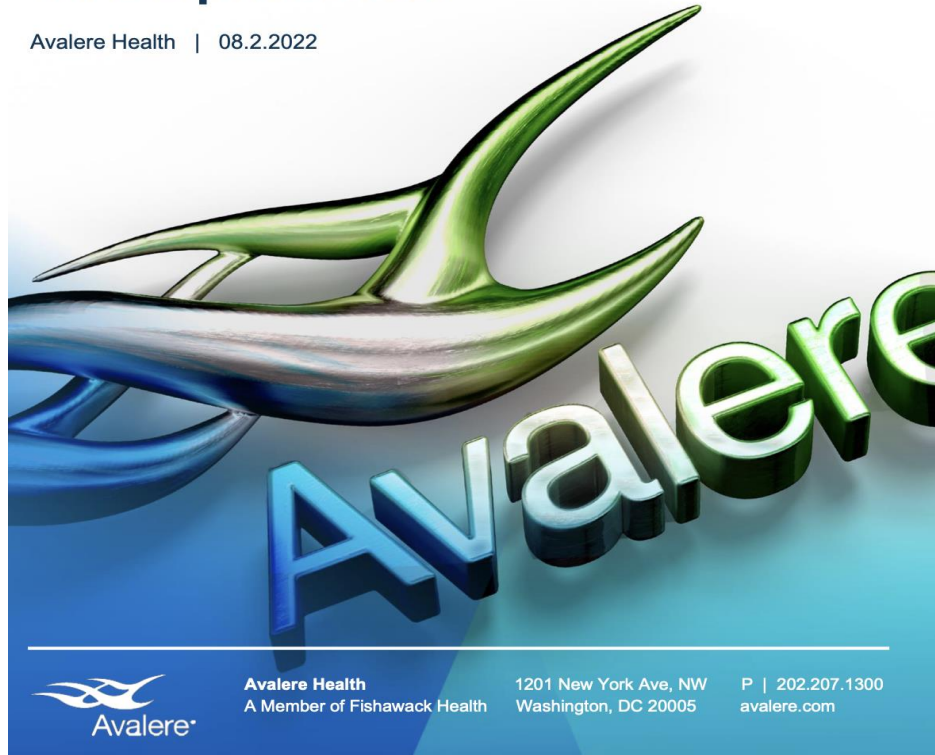
<https://www.reedsmith.com/en/perspectives/managed-care-outlook-2023/2023/01/no-surprises-act-whats-next-for-independent-dispute-resolution-in-2023>



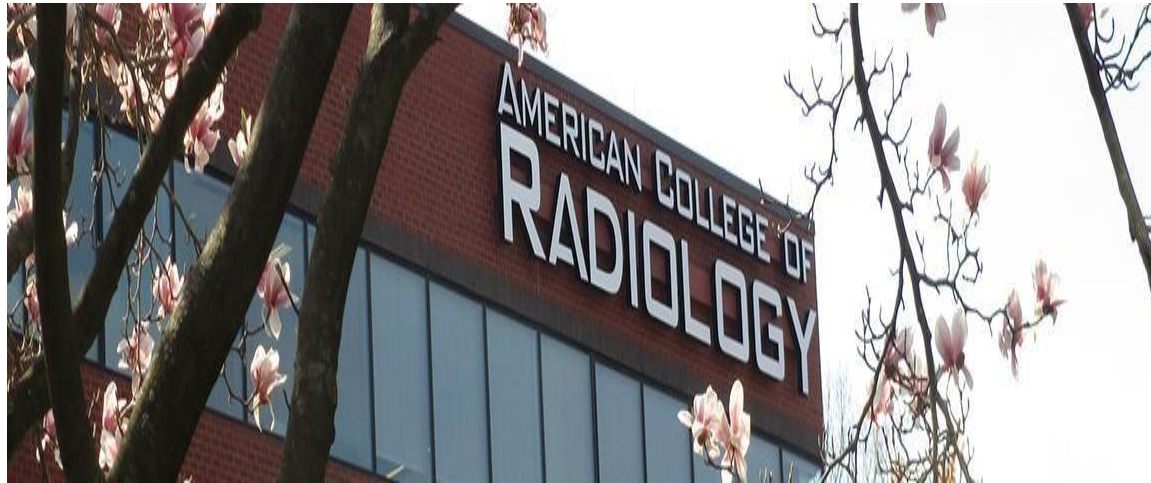
<https://www.reedsmith.com/en/perspectives/managed-care-outlook-2023/2023/01/no-surprises-act-whats-next-for-independent-dispute-resolution-in-2023>

# PCP Contracting Practices and Qualified Payment Amount Calculation Under the No Surprises Act

Avalere Health | 08.2.2022



# ACR Government Relations





**ACR**<sup>®</sup>  
AMERICAN COLLEGE OF  
RADIOLOGY

  
American Society of  
**Anesthesiologists**<sup>™</sup>

 American College of  
Emergency Physicians<sup>®</sup>



# Communication

# Members

- Advocacy In Action e-news (weekly – Saturday)
- Radiology SmartBrief (weekday mornings)
- Weekly Member Update e-news (weekly - Tuesday)
- Social Media
- Website (home page)
- Press Releases -> Radiology press coverage (Radiology Business Journal, Auntminnie, etc.)

# Non-Members: Context

*“The law’s prohibition of surprise out-of-network billing addresses this market failure, preventing providers from using leverage derived from the ability to surprise bill to **extract high prices.**”*

<https://www.brookings.edu/blog/usc-brookings-schaeffer-on-health-policy/2021/02/04/understanding-the-no-surprises-act/>

Thursday,  
February 4, 2021

# Non-Members: Context

MAY 25, 2022 | MORE ON BILLING AND COLLECTIONS

## No Surprises Act prevented 2 million surprise bills for the commercially insured, survey finds

The analysis also found that, should this trend hold, more than 12 million surprise bills will be avoided in 2022.

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<https://www.healthcarefinancenews.com/news/no-surprises-act-prevented-2-million-surprise-bills-uninsured-survey-finds>

# Non-Members: Context

*“The Congressional Budget Office **estimates** that the No Surprises Act will reduce commercial insurance premiums by between 0.5% and 1%, saving taxpayers \$17 billion over ten years and saving consumers about twice that much between reduced premiums and cost-sharing.”*

<https://www.aei.org/articles/understanding-the-no-surprises-act/>

# Non-Members: Context

## Aggressive Litigation by Providers

*“Arbitration is especially important for the types of specialty providers where surprise billing has been most common. Many of these providers, including those in practices backed by private equity firms, have historically had very high charges, which has contributed to higher patient out-of-pocket costs and overall health care costs.”*

Health Care Providers Fight Arbitration Rule in No Surprises  
Act Commonwealth Fund.html

# Non-Members: Sample

**Major Medical Societies Support Texas Medical Association Federal Surprise Billing Lawsuit with Amicus Brief**

February 1, 2023

For Immediate Release

*“The Texas case does not in any way impact or undermine the important patient protections included in the No Surprises Act, nor does it raise patient out-of-pocket costs, which ACEP, ACR and ASA advocated strongly for and continue to fully support.”*

# NSA Legal Challenges





# Opinion | Judicial Thunder Out of Ohio



The Wall Street Journal. - The Editorial Board • 28d

Judges across the country are rethinking their deference to regulators who stretch the law, and the latest example is thunder out of the Ohio Supreme Court. The Dec. 29 decision deserves more notice as a powerful statement of judicial principles in dealing with an unrestrained bureaucracy. TWISM ...

[Read more on wsj.com](#)

#OHIO POLITICS #OHIO #MIDDLE AMERICA #U.S. POLITICS #AMERICAN MIDWEST



The Wall Street Journal. flipped this story into Opinion • 28d



Thank You

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