

## Your Rights and Protections Against Surprise Medical Bills

**You are protected from “surprise billing” or “balance billing” when you get emergency care, or when you get treated by an out-of-network provider at an in-network hospital or ambulatory surgical center.**

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

When you see a doctor or other health care provider, you may need to pay 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 is out-of-network.

“Out-of-network” describes providers and facilities that haven’t signed a contract with your health plan. Out-of-network providers may bill you for the difference between what agreed to pay and the full amount they 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 that provider or facility may bill you is your 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 balance billed for these post-stabilization services.

#### **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 in-network cost-sharing amount. This applies to emergency medicine, anesthesia, pathology, radiology, laboratory, neonatology, assistant surgeon, hospitalist, or intensivist services. These providers **can’t** balance bill you and may **not** ask you to give up your protections not to be balance billed.

If you get other services at these in-network facilities, out-of-network providers **can’t** balance bill you, unless you give written consent and give up your protections.

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

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

- You are only responsible for paying your share of the cost. This includes the copayments, 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 prior authorization. This means your health plan cannot require you to get approval for services in advance.
  - Cover emergency services that are provided by out-of-network providers.
  - Base what you owe to the provider or facility (your cost-sharing amount) on what it would pay an in-network provider or facility. Your health plan must 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 maximum out-of-pocket limit.

**If you believe you've been wrongly billed**, you may contact the federal Department of Health and Human Services for more information about your rights under federal law. Visit [cms.gov/nosurprises](https://cms.gov/nosurprises) for more information.

You may also contact the Wisconsin Office of the Commissioner of Insurance. Visit <https://oci.wi.gov/Pages/Consumers/NoSurprisesAct.aspx> for more information.