Final Rules Implementing the No Surprises Act Adopted



On August 26, 2022, the Departments of Health and Human Services, Treasury and Labor, issued final rules, with an effective date of October 25, 2022, to implement the No Surprises Act, which bans surprise medical bills. The final rules provide new details for the independent dispute resolution process to determine an out-of-network rate for items and services. The final rules reduce the emphasis on the qualifying payment amount (QPA), meaning the median contracted rate for a given service in a given market. The final rules require that arbiters offer a rate that best quantifies the value of the item or service under dispute considering the QPA and all permissible factors.

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