

Your Rights and Protections Against Surprise Medical Bills

When you get emergency care or are treated by an out-of-network provider at an in-network hospital or ambulatory surgical center, you are protected from balance billing. In these cases, you shouldn't be charged more than your plan's copayments, coinsurance and/or deductible.

What is “balance billing” or “surprise billing”?

Under your health plan, you are responsible for certain cost-sharing amounts, such as a co-payment, 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.

Some providers and facilities have not signed a contract with your health plan. They are called “out-of-network” providers or facilities. Out-of-network providers may be permitted to bill you for the difference between what your plan pays, and the amount the facility or provider bills 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 procedure at an in-network facility but are unexpectedly treated by an out-of-network provider.

Insurers are required to tell you, via their websites or on request, which providers, hospitals, and facilities are in their networks. Hospitals, ambulatory surgical facilities, and providers must tell you which provider networks they participate in on their website or on request.

You are protected from balance billing for:

Emergency Services

The most you can be billed for emergency services is your health plan's in-network cost-sharing amount even if you receive services at an out-of-network hospital or from an out-of-network provider that works at the hospital. The provider and facility cannot balance bill you for emergency 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 these providers may bill you is your plan's in-network cost-sharing amount.

**You also aren't required to get care out-of-network.
You can choose a provider or facility in your plan's network.**

When can you be asked to waive your protections from balance billing:

Health care providers, including hospitals and air ambulance providers, can **never** require you to give up your protections from balance billing.

If you have coverage through a self-funded group health plan, in some limited situations, a provider can ask you to consent to waive your balance billing protections, but you are **never** required to give your consent. Please contact your employer or health plan for more information.

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

- Your health plan will pay out-of-network providers and facilities directly. You're only responsible for paying your in-network cost-sharing (like the copayments, coinsurance, and deductibles that you would pay if the provider or facility was in-network).
- Your health plan generally must:
 - Cover emergency services without requiring you to get approval for services in advance (also called 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 think you've been wrongly billed, you may file a complaint with the federal government at [Medical bill rights | CMS](#) or by calling 1-800-985-3059.

Visit [Medical bill rights | CMS](#) for more information about your rights under federal law.