Kansas
Department of Administration
State Employee Health Plan

Balance Billing Notice

Your Rights and Protections Against Surprise Medical Bills

When you get emergency care or get treated by a Non Network provider at a Network hospital or ambulatory surgical center, you are protected from surprise billing or balance billing.

Effective January 1, 2022

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.

"**Non Network**" describes providers and facilities that haven't signed a contract with your health plan. Non 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 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 a Network facility but are unexpectedly treated by a Non Network provider.

You are protected from balance billing for:

Emergency services

If you have an emergency medical condition and get emergency services from a Non Network provider or facility, the most the provider or facility may bill you is your plan's 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.

Certain services at a Network hospital or ambulatory surgical center

When you get services from a Network hospital or ambulatory surgical center, certain providers there may be Non Network. In these cases, the most those providers may bill you is your plan's 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 Network facilities, Non 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 with a Non Network provider. You can choose a provider or facility in your plan's Network.

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 copayments, coinsurance, and deductibles that you would pay if the provider or facility was in the Network). Your health plan will pay Non 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 Non Network providers.
  - Base what you owe the provider or facility (cost-sharing) on what it would pay a Network provider or facility and show that amount in your explanation of benefits.
  - Count any amount you pay for emergency services or Non Network services toward your deductible and out-of-pocket limit.

If you believe you have been wrongly billed and/or have questions about rights under federal law, you may contact the Centers for Medicare & Medicaid Services at https://www.cms.gov/nosurprises/consumers or 1-800-985-3059.