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Contact:

Katie Orrico

(703) 362-4637

korrico@neurosurgery.org

Neurosurgeons Agree that Biden Administration Must Fix Surprise Medical Billing Regulation

152 bipartisan House members demand that the rules follow the No Surprises Act as written

Washington, DC—Today, the American Association of Neurological Surgeons (AANS) and the Congress of Neurological Surgeons (CNS) enthusiastically voiced support for a [bipartisan letter](#) from 152 bipartisan members of the U.S. House of Representatives to the Biden Administration demanding changes to the interim final rule (IFR) implementing a critical piece of the [No Surprises Act](#).

The letter — spearheaded by House Ways and Means and Energy and Commerce Committee members, Reps. **Tom Suozzi** (D-N.Y.), **Brad Wenstrup**, DPM (R-Ohio), **Raul Ruiz**, MD, (D-Calif.) and **Larry Bucshon**, MD, (R-Ind.) — points out that after extensive negotiations, Congress specifically rejected a benchmark rate. Instead, the current IFR establishes a de facto payment rate, making the median in-network rate the default factor considered in the independent dispute resolution process. As structured, the IFR will likely incentivize insurance companies to set artificially low payment rates, which will compound the problem of narrow provider networks and jeopardize patients’ timely access to care — the “the exact opposite of the goal of the law,” as pointed out by the letter. Furthermore, as the authors stress, the IFR “could also have a broad impact on reimbursement for in-network services, which could exacerbate existing health disparities and patient access issues in rural and urban underserved communities.”

“Congress enacted a thoughtful and balanced approach to protect patients from unanticipated medical bills for out-of-network care that also included a fair process for resolving billing disputes,” said **John K. Ratliff**, MD, FAANS, a practicing neurosurgeon at Stanford University and chair of the AANS/CNS Washington Committee.

“Unfortunately, this rule directly conflicts with both the letter and intent of the law by prioritizing median in-network payment rates. It is therefore incumbent upon the Biden Administration to revise the new rules before they take effect on January 1,” Dr. Ratliff concluded.

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The American Association of Neurological Surgeons (AANS), founded in 1931, and the Congress of Neurological Surgeons (CNS), founded in 1951, are the two largest scientific and educational associations for neurosurgical professionals in the world. These groups represent over 8,000 neurosurgeons worldwide. Neurological surgery is the medical specialty concerned with the prevention, diagnosis, treatment and rehabilitation of disorders that affect the entire nervous system, including the spinal column, spinal cord, brain and peripheral nerves. For more information, please visit www.aans.org or www.cns.org, read our blog www.neurosurgeryblog.org, follow us on [Twitter](#) or connect with us on [Facebook](#).