



EDPMA Backs New Legislation to Support Patients and Physicians

McLean, VA – The Emergency Department Practice Management Association (EDPMA) is throwing its full support behind newly introduced legislation aimed at supporting timely provider payments by health insurance companies, in order to preserve our nation’s healthcare safety net.

EDPMA has long supported the patient protections in the *No Surprises Act (NSA)*. However, years after the NSA’s implementation, and despite clear requirements in the law itself, health insurance companies are repeatedly failing to pay physicians within 30 days after losing in the independent dispute resolution (IDR) process provided in the law.

Today, a bipartisan group of legislators (Rep. Greg Murphy, M.D. (R-NC), joined by Reps. Ruiz, M.D. (D-CA), Joyce, M.D. (R-PA), Panetta (D-CA), and Schrier, M.D. (D-WA) as original cosponsors), introduced H.R. 9572, *The No Surprises Act Enforcement Act*. With this legislation, health insurance companies that fail to pay providers in a timely manner after an independent dispute resolution decision will face consequences for ignoring clear statutory obligations. The legislation is designed to reinforce the fair and balanced process that Congress provided in the original *No Surprises Act*.

Currently, with very limited enforcement and insufficient consequences for health plans that ignore the NSA’s requirements, physician practices continue to feel significant strain from low initial payments and later, from failure of health plans to pay the amounts fairly awarded by an independent arbiter, even though timely payment is required by law.

Since 1987, the Emergency Medical Treatment and Active Labor Act (EMTALA) federal law has required that emergency physicians provide an evaluation and stabilizing treatment for any patient that seeks medical care, regardless of their ability to pay. Under the NSA, if the insurer’s payment for out of network clinical care is inadequate, an emergency physician can dispute the low payment amount through the NSA’s Independent Dispute Resolution process.

When the independent arbiter rules in favor of the physician, the insurer is legally obligated to pay the awarded amount within 30 days. Public data indicates that approximately 80% of the time, independent arbiters have found the physician’s request to be more reasonable than the health

plan's initial payment. However, the additional amounts owed by health plans have not been paid consistently, or have not been paid at all, despite the clear requirements in the law. An April 2024 EDPMA [survey](#) about the NSA, members noted that in disputes where the provider was the prevailing party, 24% were still not paid or were paid correctly within the 30 day requirement in the law.

“With this bill, insurance companies that have been exploiting the *No Surprises Act* will finally be held accountable,” said EDPMA Chair Andrea Brault, MD, FACEP, MMM. “In the Independent dispute resolution process, independent arbiters have agreed that insurers are paying providers inordinately low rates a large majority of the time, which already jeopardizes community-based practices and patient access to care. We support all of the patient protections in the NSA and now, urge Congress to hold health plans accountable for their obligations under the law.”

The proposed legislation, H.R. 9572, will require health plans to pay interest and penalties on unpaid amounts due to providers under the *No Surprises Act*.

EDPMA urges Congress to pass this bill to ensure that insurance companies pay physicians and their practices fairly and promptly, allowing them to continue providing essential care to their patients.

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About EDPMA

The Emergency Department Practice Management Association (EDPMA) is the nation's only professional trade association focused on the delivery of high-quality, cost-effective care in the emergency department. EDPMA's membership includes emergency medicine physician groups of all sizes, billing, coding, and other professional support organizations that assist healthcare clinicians in our nation's emergency departments. Together, EDPMA members see or support 60% of all annual emergency department visits in the country. www.edpma.org

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