



## Top 10 Things To Do About the No Surprises Act (NSA)

1. Ask the patient two questions: (1) if they have any health insurance (including Medicare and Medicaid); and (2) whether they intend to submit a claim for service. In PI that is almost always a “no”, but you want to still ask.
2. It's required by the NSA that a new patient sign a consent form. You can get an example from the CMS (Center for Medicare & Medicaid Services) website at [www.cms.gov/nosurprises](http://www.cms.gov/nosurprises).
3. Create a form for all uninsured and self-pay patients that states that a good faith estimate of expected charges is available; and make sure that form is properly displayed on your website (if you have one) and prominently displayed in your business (likely where you schedule appointments or then where they pay). And offer that notice by paper or digital, and, in the language spoken by the patient.
4. Provide oral notice regarding the availability of a good faith estimate when they schedule services or have any question about costs. And if they call your office, I would be noting in the call log if they did NOT ask about costs or charges (to address where someone later says they did and now you have a business record that supports your version). Remember, a 10-day advanced appointment requires the GFE to be sent to the patient within 3 business day before the appointment; 3-9 days at least 1 business day; and less than 3 days or walk-ins if recurring services get to the patient at least 1 business day before the appointment; and less than 3 days or walk-ins if recurring services get to the patient at least 1 business day before the next scheduled visit.
5. As referred above a good faith estimate should be offered in writing or digitally to the patient which you can get an example from [www.cms.gov/nosurprises](http://www.cms.gov/nosurprises). Have the patient date and sign that GFE.
6. Consider inserting a specific waiver of the NSA in your medical lien or letter of protection; however, even with a specific waiver, we recommend you still comply with the NSA requirements regardless.
7. Update your up to one-year good faith estimate any time your estimate will prove too low by at least \$400 in any aspect.
8. If you discover you made an error, act within 30 days of that knowledge including refunding the patient any monies paid more than that estimate with interest.
9. Monitor the timing for 120 calendar days past the final bill to then avoid the potential of the NSA's patient dispute resolution process and penalties and be careful of re-triggering the time period in flare up situations.
10. Seek the advice of your healthcare compliance attorney, office procedures consultant, and anyone else involved in the processes and procedures of your office so you are in compliance in all aspects of your medical practice. Do it right!

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