



**Table 1: The Five Bipartisan Bills**

	<b>S. 1895</b>	<b>H.R. 3502</b>	<b>H.R. 5826</b>	<b>H.R. 2328</b>	<b>H.R. 5800</b>
<b>Ends Surprise Bills for:</b>					
Emergency Services	Yes	Yes	Yes	Yes	Yes
Ancillary Services	Yes	Yes	Yes	Yes	Yes
Ground Ambulance Services	No	No	No	No	No, but study
Air Ambulance Services	Yes	No	No, but study	No	Yes
Post Emergency Inpatient Stabilization	Yes	No	Yes	Yes	Yes
<b>Approach for Applying Benchmarks</b>	<b>Mandated Payment Standard</b>	<b>Independent Dispute Resolution (IDR):</b> <ul style="list-style-type: none"> <li>• Insurer and Provider Negotiate Payment</li> <li>• Can appeal to IDR</li> <li>• Final Offer Arbitration</li> </ul>	<b>Independent Dispute Resolution (IDR):</b> <ul style="list-style-type: none"> <li>• Insurer and Provider Negotiate Payment</li> <li>• Can appeal to IDR</li> <li>• Final Offer Arbitration</li> </ul>	<b>Combined:</b> <ul style="list-style-type: none"> <li>• Mandated Payment Standard</li> <li>• Cases over \$1,250 can be appealed to IDR (Final Offer Arbitration)</li> </ul>	<b>Combined:</b> <ul style="list-style-type: none"> <li>• Mandated Payment Standard</li> <li>• Cases over \$750 can be appealed to IDR (Final Offer Arbitration)*</li> </ul>
<b>Benchmarks for Out-of-Network Payment Standards</b>	Insurer's Own Median In-Network Rate for the Prior Year	Doesn't Apply	Doesn't Apply	Insurer's Own Median In-Network Rate for 2019, indexed to inflation	Insurer's Own Median In-Network Rate for 2019, indexed to inflation
<b>Arbitration considerations</b>	Doesn't Apply	Arbitrator considers: <ul style="list-style-type: none"> <li>• Median In-Network Rate of all Insurance Plans</li> <li>• Other factors including case severity or provider training</li> <li>• 80<sup>th</sup> Percentile of Providers' Billed Charges</li> </ul>	Arbitrator considers: <ul style="list-style-type: none"> <li>• Insurer's Own Median In-Network Rate for 2019, indexed to inflation</li> <li>• Information parties provide relating to their final offer, except for Billed Charges</li> </ul>	On appeal, arbitrator considers: <ul style="list-style-type: none"> <li>• Median In-Network Rate of all Insurance Plans</li> <li>• Severity of case and provider training</li> </ul>	On appeal, arbitrator considers: <ul style="list-style-type: none"> <li>• Median In-Network Rate of all Insurance Plans</li> <li>• Severity of case and provider training</li> <li>• Market share of the parties</li> </ul>

\*Except for air ambulance cases, which can only be appealed for cases over \$25,000