

A photograph of the United States Capitol building in Washington, D.C., featuring its iconic dome and neoclassical architecture, surrounded by green trees.

# LEGAL UPDATE

## New Resources Available on CAA Enforcement

The Centers for Medicare & Medicaid Services (CMS) has released [enforcement letters](#) for a majority of states regarding the enforcement of certain provisions of the Consolidated Appropriations Act of 2021 (CAA). The CAA, enacted on Dec. 27, 2020, established new protections for consumers related to surprise billing (under the No Surprises Act) and transparency in healthcare.

The letters address:

- CMS's understanding of the provisions each state is enforcing, either directly or through a collaborative enforcement agreement;
- The provisions that CMS will directly enforce;
- Whether the federal independent dispute resolution process and the federal patient-provider dispute resolution process apply in each state, and in what circumstances.

According to CMS, under a collaborative enforcement agreement, the state will perform the compliance functions of policy form review, investigations, market conduct examinations and consumer assistance, as applicable. CMS will consider taking formal enforcement action, to the extent warranted, only where the state is unable to obtain voluntary compliance.

### Additional Resources

CMS has also created a [No Surprises Act webpage](#), which provides fact sheets on what the rules cover, consumer information about the rights and protections available, and information on how to resolve out-of-network payment disputes.

### States Without CMS Letters

Currently, there are seven states **without** enforcement letters:

- Alaska
- Arizona
- Illinois
- Nevada
- New York
- Ohio
- Tennessee

*The letters address CMS's understanding of the CAA provisions each state is enforcing, and the provisions CMS will enforce.*

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Provided to you by **Leavitt Group Northwest**



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