May \_\_\_, 2019

**ASSEMBLY FLOOR ALERT**

**AB 1611 (CHIU) – SUPPORT**

As amended May 16, 2019

We strongly support AB 1611 (Chiu), which as amended May 16, would protect patients from surprise bills for emergency room and post-stabilization care at out-of-network hospitals. This bill would ensure that patients only owe the same copay or deductible they would pay for in-network emergency care provided by hospitals, regardless of whether the emergency room is in- or out-of-network for their insurer.

**AB 1611 would do the following:**

* Protect patients by making sure they owe only their in-network cost sharing for emergency care, regardless of whether the emergency room is in-network or out-of-network for their insurer;
* Ensure patients are not sent to collections for more than their copays or deductibles. Hospitals are prohibited from balance billing and sending surprise medical bills to consumers as a condition of their state hospital licensure;
* Protect consumers with both state-regulated health coverage and federally-regulated coverage such as self-insured plans provided by employers and union trust funds;
* Apply to hospitals, as well as health plans and health insurers;
* Ensure a patient’s health coverage is not used as leverage for higher payment to hospitals by setting payment rate to either ***the “reasonable and customary value,”*** *h* ***what hospitals charge and get paid by public and private payers, OR the average contracted rate paid by the specific health insurer for the same or similar services in the same geographic area***; and
* Permit hospitals to litigate contested rates with health plans and insurers if both parties cannot agree to a payment rate.

The only thing you should be thinking about when you or a loved one are lying on a gurney in an emergency room is getting care and getting well—not getting a bill of thousands of dollars for that care. No one should ever worry about whether their insurance is enough to cover the care they received in an emergency. No consumer, especially one that is insured, should be at risk of being sent to collections or face financial ruin just because they did the right thing and went to an emergency room when they thought they were having an emergency.

**For these reasons, we request your AYE vote on the Assembly Floor.**