OHIO STATE MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution No. 31 – 2025

Introduced by: OSMA District 2

Subject: No Surprises Act – Provider Protections

Referred to: Resolutions Committee No. 2

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WHEREAS, the State of Ohio has adopted legislation to ensure patients are not financially penalized for receiving unanticipated care from an out-of-network provider; and

WHEREAS, providers may be obligated to provide services such as emergency care given Emergency Medical Treatment and Active Labor Act (EMTALA), regardless of the patient's insurance plan; and

WHEREAS, OSMA Policy 19 – 2020 does not address protection from the cost of administrative burden on providers such as:

- Labor intensive requirement to submit manual HCFA claim form for disputes
- Batch restrictions of 15 claims, creating additional workload and delays
- All disputes must be reviewed by a single individual before being escalated to FHAS for arbitration, causing delays and reducing the efficiency of dispute resolution
- Arbitration fee structure of 70/30 split forces providers to consolidate claims to ensure arbitration is financially justified, delaying action on individual disputes; and

WHEREAS, OSMA Policy 19 – 2020 does not address payer behaviors, such as:

- Delays in payment of claim when IDR rules in favor of the provider
- Resistance to negotiations to contract with providers currently out-of-network; and therefore be it

RESOLVED, that the Ohio State Medical Association (OSMA) will advocate for the elimination of excessive fees and other process inefficiencies that increase practice cost for the IDR resolution process; and be it further

RESOLVED, that OSMA will advocate for payers to adhere to prompt payment after IDR decisions.

Fiscal Note: $ (Sponsor)
$50,000+ (Staff)

Relevant OSMA Policy:

Policy 19 – 2020 – Out-of-Network Billing
Policy 11 – 2017 – Third Party Patient Reimbursement for Out-of-Network Physicians
Policy 17 – 2018 – OSMA to Seek Time Parity for Physician Claims Filing and Insurance Take Back
Policy 15 – 2021 – OSMA Lobbying for Revision on Payment for Out-of-Network Services