



For Immediate Release

December 21, 2020

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Freestanding ERs Included in Landmark Legislation to End Surprise Medical Bills

Freestanding ERs successfully push for industry accountability in federal statute

AUSTIN, TX- Tonight Congress passed a year-end spending package, which included bipartisan language to protect patients from getting “surprise” medical bills. The landmark legislation adds Freestanding ERs into federal statute for the first time.

Congress recognized that patients must be protected in all places of care, including Freestanding ERs by limiting their cost-sharing for out-of-network providers to the same rate as in-network providers. Freestanding ERs are a relatively new industry - only a decade old - and are licensed and regulated at the state level. The federal legislation also ensures that out-of-network Freestanding ERs are subject to the same Independent Dispute Resolution process available to other providers when resolving billing disputes with insurance companies.

In 2019, the Texas state legislature passed a similar bill that only applied to state regulated health plans. Unlike Texas, the federal legislation applies to all federally regulated commercial health plans. Freestanding ERs’ federal recognition allows Americans the freedom to seek the emergency medical care of their choice without the risk of a surprise medical bill.

See below statements from NAFEC’s Board Members on the passage of this legislation:

“On behalf of the National Association of Freestanding Emergency Centers (NAFEC) and the many thousands of patients that receive their emergency care at our licensed centers, we are thankful Congress recognized that patients must be protected and covered in all sites of care, including Freestanding ERs. Although we are a relatively new delivery model, we are an essential part of the medical infrastructure in many communities and are glad to be part of the solution.”

- Rhonda Sandel, NAFEC Board President

“The passage of the ‘No Surprises Act’ means the hundreds of thousands of patients who visit Freestanding ERs across our country are now protected and will no longer receive a surprise medical bill. We are so thankful to Congress for their hard work on this landmark legislation and for taking patients out of the middle. Freestanding ERs, an essential part of the medical infrastructure in so many communities, are happy to now be part of the solution.”- Dr. Eric McLaughlin, NAFEC Board Member

This is the second time in 2020 Freestanding ERs have been recognized by the federal government. In April, Centers for Medicare and Medicaid (CMS) provided a temporary waiver that allows Freestanding ERs to receive reimbursement for treating Medicare patients during the public health emergency (PHE).

During this pandemic, Freestanding ERs across the country have been on the frontlines testing and treating COVID-19 patients helping to alleviate hospitals. They have proved to be an essential component to America's pandemic response. Freestanding Emergency Centers have shorter wait times and smaller facilities than traditional hospital ERs, are fully licensed and regulated, and staffed with emergency medical personnel 24/7.

About NAFEC

MISSION: To advocate for fair regulation and raise awareness of freestanding emergency centers as a high-quality, accessible emergency medical care option. VISION: The National Association of Freestanding Emergency Centers (NAFEC) will be the expert association safeguarding, supporting, strengthening, and serving as the voice for the freestanding emergency center industry.

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