

Disclaimer:

* This document was originally written by the Centers for Medicaid and Medicare (December 2021) and posted on their website (see reference below). Dr. Beaton-York consulted with a prominent attorney/psychologist with her malpractice carrier, The Trust. The revisions to this document were recommended by him to be more in compliance with our ethical codes and yet maintain the integrity of this new legislation.

The No Surprises Law has already seen several revisions, so it is subject to change. This document on the CMS website actually has an expiration date of 3/31/22. It is each therapist's duty to make certain they stay in compliance with any updates.

Please note that Dr. Beaton is not an attorney, nor does she or Dr. Becky Beaton, LLC guarantee this document in any way. It is merely one option to consider based on the information discussed in the Webinar that accompanies this document.

Centers for Medicare & Medicaid Services. (2021). *Standard Notice and Consent Documents Under the No Surprises Act (For use by nonparticipating providers and nonparticipating emergency facilities beginning January 1, 2022)*.

<https://www.cms.gov/files/document/standard-notice-consent-forms-nonparticipating-providers-emergency-facilities-regarding-consumer.pdf>

Instructions from CMS – DELETE THIS PAGE AS WELL

(For use by health care providers no later than January 1, 2022)

Under Section 2799B-6 of the Public Health Service Act, health care providers and health care facilities are required to inform individuals who are not enrolled in a plan or coverage or a Federal health care program, or not seeking to file a claim with their plan or coverage **both orally and in writing** of their ability, upon request **or** at the time of scheduling health care items and services, to receive a “Good Faith Estimate” of expected charges.

This form may be used by the health care providers to inform individuals who are not enrolled in a plan or coverage or a Federal health care program (uninsured individuals), or individuals who are enrolled but not seeking to file a claim with their plan or coverage (self-pay individuals) of their right to a “Good Faith Estimate” to help them estimate the expected charges they may be billed for receiving certain health care items and services. Information regarding the **availability of a “Good Faith Estimate” must be prominently displayed** on the convening provider’s and convening facility’s website and in the office and on-site where scheduling or questions about the cost of health care occur.

To use this model notice, the provider or facility must fill in the blanks with the appropriate information. HHS considers use of the model notice to be good faith compliance with the good faith estimate requirements to inform an individual of their rights to receive such a notice. Use of this model notice is not required and is provided as a means of facilitating compliance with the applicable notice requirements. However, some form of notice, including the provision of certain required information, is necessary to begin the patient-provider dispute resolution process.

NOTE: The information provided in these instructions is intended only to be a general informal summary of technical legal standards. It is not intended to take the place of the statutes, regulations, or formal policy guidance upon which it is based. Readers should refer to the applicable statutes, regulations, and other interpretive materials for complete and current information. [Link to IFR when available.]

Health care providers and facilities should not include these instructions with the documents given to patients.

Paperwork Reduction Act Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid Office of Management and Budget (OMB) control number. The valid OMB control number for this information collection is 0938-XXXX. The time required to complete this information collection is estimated to average 1.3 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

Don’t forget – please remove everything above when you are ready to go live with this form. 😊

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STANDARD NOTICE

“Right to Receive a Good Faith Estimate of Expected Charges” **Under the No Surprises Act**

You have the right to receive a “Good Faith Estimate” explaining how much your medical care will cost

Under the law, health care providers need to give **patients who don’t have insurance or who are not using insurance** an estimate of the bill for medical items and services.

- You have the right to receive a Good Faith Estimate for the total expected cost of any non-emergency items or services. This includes related costs like medical tests, prescription drugs, equipment, and hospital fees.
- Make sure your health care provider gives you a Good Faith Estimate in writing at least one business day before your medical service or item. You can also ask your health care provider, and any other provider you choose for a Good Faith Estimate before you schedule an item or service.
- If you receive a bill that is at least \$400 more than your Good Faith Estimate, you can dispute the bill.
- Make sure to save a copy or picture of your Good Faith Estimate.

For questions or more information about your right to a Good Faith Estimate, visit www.cms.gov/nosurprises or call [Be Here Now Mindfulness, LLC](http://www.beherenowmindfulness.com); 678-428-2730