



May 29, 2019

The Honorable Frank Pallone, Jr.
Chair
House Committee on Energy and Commerce

The Honorable Greg Walden
Ranking Member
House Committee on Energy and Commerce

protections should be considered first, and only when no state protection applies does the federal protection apply. While the Secretary of HHS may be the most appropriate authority to issue regulations to implement the federal protections under the *No Surprises Act*, we request that the Secretary be required to consult with state insurance regulators and/or the NAIC in setting the boundaries between state and federal laws in this area. In addition, consumers and health care providers should know what billing protections are in place for a particular service. Federal law should establish notice requirements that allow consumers and providers to understand whether state or federal protections apply to a specific situation

The discussion draft of the *No Surprises Act* represents a serious effort by lawmakers of both parties to address a pressing problem in health care. It has the potential to add needed federal protections to the state laws already in effect to prevent consumers from being hit with unexpected out-of-network charges. With the improvements outlined above, NAIC members believe the legislation would be a significant step forward in making health insurance and health care more fair and more predictable for millions of consumers. We look forward to continuing to work with the Energy and Commerce Committee and other members of Congress to enact this important legislation.

Sincerely,



Eric A. Cioppa
NAIC President
Superintendent
Maine Bureau of Insurance



Raymond G. Farmer
NAIC President-Elect
Director
South Carolina Department of Insurance

