



## HHS Issues Guidance on the Patient-Provider Dispute Resolution Process – With a Twist

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December 23, 2022

HHS issued guidance yesterday further explaining the patient-provider dispute resolution (PPDR) process that is part of the surprise billing regulations, effective January 1, 2022. We want to flag one item for you and request feedback.

Guidance for Providers and Facilities – click [here](#)

Guidance about Selected Dispute Resolution Entity – click [here](#) – see page 5 for a good timeline for the SDR process

Guidance for Uninsured (or Self Pay) Individuals – click [here](#)

Guidance About the Administrative Fee - click [here](#)

The most notable departure from the regulations and the other guidance documents is contained in the Guidance for Uninsured (or Self-Pay) Individuals. On page 2, it states:

Does the PPDR process apply to people with health insurance?

The PPDR process is set up for:

- People without health insurance.
- **People with health insurance who receive an item or service that isn't covered by their plan or coverage.**
- People with health insurance who plan to not use their plan or coverage to pay for a portion or all of the costs for the item or service.

This is the only reference we have seen to “people with health insurance who receive an item or service that isn't covered by their plan or coverage” being eligible to use the SDR process. It's unclear why it is here or how it would come into play. The regulations for the good faith estimates/advanced explanation of benefits that will eventually be required for insured patients are not expected until sometime next year and disputes between insurers and providers will go through a different Independent Dispute Resolution process.

We'd welcome your input. In the meantime, HHS says it plans to hold webinars “in the future.” We'll keep you posted.

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