

# S.2355 – Patients Deserve Price Tags Act (119th Congress)

## Overview

S.2355 is a bipartisan bill that would amend the Public Health Service Act to strengthen and codify federal healthcare price transparency requirements for hospitals, insurers, and other providers. Its central aim is to ensure patients can see actual healthcare prices upfront, improving consumer decision-making and reducing unexpected medical costs.

## Key Policy Objectives

- Make healthcare pricing clear, standardized, and accessible to patients
- Ensure accuracy and accountability in price disclosures
- Expand transparency beyond hospitals to additional care settings and insurers
- Strengthen enforcement mechanisms and penalties for noncompliance

## Major Provisions

### 1. Codification of Existing Transparency Rules

- Converts current regulatory requirements into statute, including:
  - Hospital Price Transparency (HPT) rules
  - Transparency in Coverage (TiC) rules for insurers
- Requires disclosure of actual prices (not estimates) for healthcare services

### 2. Expanded Provider Transparency Requirements

- Applies transparency requirements to:
  - Hospitals
  - Clinical diagnostic laboratories
  - Imaging centers
  - Ambulatory surgical centers
- Requires consumer-friendly, publicly accessible pricing data

### 3. Health Plan Transparency Enhancements

- Requires insurers to disclose:
  - In-network negotiated rates
  - Patient cost-sharing obligations
  - Deductible and out-of-pocket status
- Mandates self-service tools for patients to access personalized cost information
- Requires executive attestation and audits to ensure data accuracy

### 4. Billing and Patient Protection Provisions

- Requires itemized bills detailing services and costs
- Protects patients from being charged more than disclosed estimates in certain cases
- Requires post-service explanations of benefits (EOBs) for transparency

## 5. Data Sharing and Market Transparency

- Requires third-party administrators to provide:
  - Claims and encounter data
  - Provider reimbursement methodologies
  - Pricing and rebate information
- Improves transparency for employers and plan sponsors managing health benefits

## 6. Enforcement and Compliance

- Establishes enhanced civil monetary penalties for noncompliance
- Strengthens enforcement of:
  - Anti-“gag clause” provisions
  - Price transparency reporting requirements

## 7. Federal-State Interaction

- Clarifies that federal transparency standards:
  - Do not preempt stronger state laws unless conflicting
  - Maintain ERISA protections for employer-sponsored plans

## Implementation Timeline

- 2026: Hospitals required to publicly disclose pricing information
  - 2027: Health plans required to provide comprehensive pricing tools and data
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