

# Damned if You Do, Damned if You Don't: Hazard for Out of Network Providers From Fee Waivers to Surprise Billings

## Location

The Wanamaker Building  
100 E Penn Square  
Philadelphia, PA 19107

## Date & Time

Start Date: 10/30/2019  
Start Time: 9:00 am  
End Time: 4:10 pm

**Mark Gallant** will be speaking at the Pennsylvania Bar Institute's A Day on Health Law 2019. Mark will explore the changes in the health care reimbursement landscape arising out of the proliferation of narrow network and tiered insurance plans, and the corresponding increases in the numbers of providers choosing to "go out of network." Non-contracted providers frequently offer fee discounts and other waivers of patient financial responsibility as a means of gaining or retaining (after a contract termination) market share. The first portion of the discussion will explore the successes and failures of various legal theories that plans are increasingly advancing to deter referrals to out-of-network providers. The second portion will examine recent federal and state efforts to limit patient exposure to "surprise billings" and other forms of balance billing (including ACA reforms for out-of-network coverage of emergency medical services).

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Pennsylvania Bar Institute

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## ATTORNEYS



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