



TaxNewsFlash

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Request for information: Advanced explanation of benefits and good faith estimate for covered individuals under “no surprises” provisions

The U.S. Treasury Department and IRS, along with various other government agencies and departments, this afternoon released a [“request for information”](#) [PDF 163 KB] regarding future regulations to implement the advanced explanation of benefits (AEOB) and good faith estimate (GFE) requirements of the “No Surprises Act” (enacted as part of the Consolidated Appropriations Act, 2021).

Section 9816(f) was added to the Code by the 2021 legislation and basically requires group health plans and health insurance issuers offering group or individual health insurance coverage, upon receiving a GFE regarding an item or service, to send a covered individual an AEOB. According to today’s release, because of complex issues involved in developing regulations to implement Code section 9816(f) (and other legislative provisions), information is being requested on a range of issues “to better inform future rulemaking.”

This request for information seeks comments and recommendations about:

- Transferring data from providers and facilities to plans, issuers, and carriers
- Other policy approaches
- The economic implications in implementing these requirements

Comments are due 60 days after this document is published in the Federal Register (publication is scheduled for September 16, 2022).

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