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Proposed regulations: Federal independent dispute resolution (IDR) process administrative fee and certified IDR entity fee ranges

The Treasury Department and IRS—along with the Department of Labor (DOL) and the Department of Health and Human Services (HHS)—today released for publication in the Federal Register proposed regulations (REG 115762-23) regarding the fees established by the No Surprises Act for the federal independent dispute resolution (IDR) process, as established by the Consolidated Appropriations Act, 2021.

The [proposed regulations](#) [PDF 357 KB] (20 pages as published in the Federal Register on September 26, 2023) would:

- Amend existing regulations to provide that the administrative fee amount charged by the Treasury Department, DOL and HHS to participate in the federal IDR process, and the ranges for certified IDR entity fees for single and batched determinations, will be set by the departments through notice and comment rulemaking
- Set forth the methodology used to calculate the administrative fee and the considerations used to develop the certified IDR entity fee ranges

The proposed regulations also propose the amount of the administrative fee and the certified IDR entity fee ranges for disputes initiated on or after the later of the effective date of these rules or January 1, 2024.

Comments on the proposed regulations are due by October 26, 2023.

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