



December 3, 2021

The Honorable Xavier Becerra  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue S.W.  
Washington, D.C. 20201

Dear Secretary Becerra,

We, a coalition of health care providers and patient advocates, are writing to raise serious concerns about the proposed interim final rule on Surprise Billing; Part II (CMS-9908-IFC).

As drafted, the interim final rule on the Independent Dispute Resolution process favors large insurance companies at the expense of patients. If changes are not made to this rule, health plans will cut reimbursement and emergency air ambulance bases will close, particularly in rural areas, leaving patients with limited or no access to critical care. We urge you to revise the rule to ensure it protects these lifesaving flights, especially in rural and underserved areas of the country, which have already seen waves of recent hospital closures.

The intent of the No Surprises Act was to take patients out of the middle of billing disputes between insurers and providers, which we applaud as an important goal. However, patients will not be protected if the Department proceeds with this implementation plan. We strongly urge you to revise this rule and ensure it is balanced and fair.

Thank you for your attention to the matter,

SOAR Campaign  
Brain Injury Association of America  
Consumer Action  
International Association of Flight & Critical Care Paramedics  
National Consumers League  
National Grange  
Society of Trauma Nurses