



Balance Billing

Revised Policy Statement

The claims of all physicians who provide emergency care for commercially insured services are often paid by health plans at rates that are substantially below the reasonable and customary value of these services. This occurs in part because plans base payment on usual and customary charge data that is flawed¹. Health plans know that emergency medical care must be provided to their enrollees no matter how poorly the plans pay for these services. Systematic underpayment of emergency services without a corresponding system of ensuring fair payment has led to the need to preserve balance billing. This ensures the viability of patient care services where there are no enforced laws or regulations requiring health plans to pay emergency care provider claims at appropriate rates sufficient to maintain the financial viability of our nation's emergency care safety net.

Approved ACEP Board of Directors
April 2009

¹ As determined by the New York Attorney General.