

## Transparency in Coverage Final Rule

We want to make you aware of a recent healthcare requirement that you **MUST** act on as an Employer that offers medical coverage to your employees. This rule pertains to ALL companies, regardless of size.

The “Transparency in Coverage” rule was issued by the Department of Health and Human Services (HHS), the Department of Labor and the Department of the Treasury in October 2020, but guidance just became available on “how” to be compliant with this ruling. The rule is **effective July 1<sup>st</sup>** for plans starting January–July, and first of the renewal month for plans starting August–December. **The intent of the rule is to educate people to become “better consumers” with their healthcare decisions by making health care price information readily available.** The rule was originally scheduled to go into effect January 1, 2022, but the initial implementation was delayed to July 1, 2022, due to the complexity of implementation and COVID. There will be additional requirements for this ruling that expect to be implemented between 1/1/23 and 1/2024.

The current action with this ruling is:

- EMPLOYERS must publish two machine-readable files (MRF) showing the in-network rates, out-of-network allowed amounts, and billed charges
- Compliance falls on EMPLOYERS. Non-compliance penalties are \$100 per day per “affected individual.” A few examples of affected individuals include eligible employees, dependents, and job applicants
- The files must be in JSON formatting (Java Script Open Notation)
- The files must be freely accessible; this means they cannot be placed anywhere that a login is required to access them. A group’s website is the recommended location if the insurance carrier is not hosting the information.
  - If you do not have a publicly available website, please discuss available options with legal counsel
- The carriers are providing either the links for employers to use or hosting this information on their websites. See below for guidance
- There is no requirement to provide “notices” to employees, just post the links to the files

We are providing you with information that we received from the following carriers. **Most links will not be available until after July 1, 2022.** \*\*If you change carriers at your renewal, please remember to update the information on your site.

**Aetna:** will be publishing this information on [www.aetna.com](http://www.aetna.com) on July 1, 2022 for fully insured (51-100) and small group AFA (2-100) groups. By posting the MRFs for your small group Aetna Funding Advantage clients, we're taking work off their plate. Aetna will update the files each month and this link will remain active with the most up-to-date information.

**Capital Blue Cross (CBC):** On July 1, 2022, Capital Blue Cross will publish machine-readable files on our website in compliance with the Transparency in Coverage Final Rule. Once posted, you'll be able to access them through [this link](#). The publicly accessible files will include medical in-network rates and out-of-network allowed amounts for Capital Blue Cross and national networks.

It is important to note that the machine-readable files will not appear until the files are populated some time on July 1. If you click on the link before the data is released, you will be routed to MyCare Finder, our provider finder tool. Employers may post the URL on their sites for users to access. The data files will be updated on the first of every month.

Machine-readable files are a digital representation of data or information that can be imported or read into a computer system for further processing. The data is not meaningful at first glance without that process. Capital Blue Cross will not charge for use of the machine-readable files posted on our site. Those who wish to interpret the data will need to process and evaluate it on their own or use a third-party vendor.

**Highmark:** to locate files:

- Employer should navigate to website: [www.mrfdata.hmhs.com](http://www.mrfdata.hmhs.com) (link will be activated 7/1/22)
- Search "plan type" with Employer Identification Number (EIN) within the Table of Contents
- Click on the URL for "In-Network" or "Allowed Amount". These are the links to save on your website

**Independence Blue Cross:**

- Independence Blue Cross (Independence) is developing a Table of Contents file for our company website, [ibx.com](http://ibx.com). The Table of Contents will contain the links to our in-network MRFs by issuing company (e.g., PPO plans point to QCC, Inc., HMO plans point to Keystone Health Plan East, Inc., etc.).
- This is the link that was provided, but it's not active yet -- <https://www.ibx.com/transparency-in-coverage?brand=qcc>

**UnitedHealthcare- Self/Level Funded/Fully-Insured:** MRFs will be posted monthly on [transparency-in-coverage.uhc.com](http://transparency-in-coverage.uhc.com). This location is publicly available and accessible to all — no authentication is required.

- Brokers and employers may use the following language when posting the UnitedHealthcare transparency in coverage link:
  - *To access the machine-readable files created and published by UnitedHealthcare, please [click here](#).*
  - Once the link is posted to a publicly available site, the employer responsibility is complete
- Beginning July 1, 2022, employers may locate and view their MRF information. To do so:
  - Go to [transparency-in-coverage.uhc.com](http://transparency-in-coverage.uhc.com)
  - Search for the intended employer name
  - Associated MRFs will appear
    - Example: 2022-07-01\_customer name\_Choice-Plus\_in-network-rates.json
  - MRFs will be updated monthly in accordance with requirements