LOUISIANA BLUE

No Surprises Act
Open Negotiation Notice

Form Instructions

Under the Consolidated Appropriations Act of 2021, the Open Negotiation Notice form is intended for use by non-participating network providers performing emergency or certain other services at a network facility. It may also be used by air ambulance providers to dispute the reimbursement for emergency services.

Use the attached form to initiate the No Surprises Act, 30-day open negotiation period. You must complete and return the Open Negotiation Notice form within 30 business days of the date of receipt of initial payment.

To process your request:

1. Include your Tax ID:

   _____
   Tax ID

2. Include the **claim number(s)** associated with the services in dispute, along with a short description in the "Description of Items or Services" column on the table provided. If you need more than five rows, please report as appropriate on the Additional Claims Information Worksheet.

3. Send the completed form to providerdisputesCAA@lablue.com.

If the Open Negotiation Notice form does not allow you to provide sufficient information to support your case, please include additional documentation when submitting your request.

If you have any questions about the No Surprises Act open negotiation process, you may call Blue Cross and Blue Shield of Louisiana's Customer Care Center at 1-800-922-8866.

Blue Cross and Blue Shield of Louisiana is an independent licensee of the Blue Cross Blue Shield Association.

Open Negotiation Notice

Enter date of this notice:_____

You are receiving this notice because _____
(*enter name of party initiating negotiations)*, a:

- ☐ group health plan
- ☐ Federal employee health benefits (FEHB) carrier
- ☐ healthcare facility
- ☐ health insurance issuer
- ☐ healthcare provider
- ☐ provider of air ambulance services

is disputing the out-of-network rate for:

[insert appropriate descriptor of the item(s) or service(s)] provided.

More information regarding these items or services is provided below. The No Surprises Act provides a Federal independent dispute resolution (Federal IDR) process that group health plans, health insurance issuers of group and individual health insurance coverage, and FEHB carriers and out-of-network or nonparticipating healthcare providers, facilities, and providers of air ambulance services may utilize to determine the out-of-network rate for certain services following the end of an open negotiation period. The Federal IDR process is available only for certain services, such as out-of-network emergency services, certain services provided by out-of-network providers at an in-network facility, or out-of-network air ambulance services. The Federal IDR process is also only available if a state All-Payer Model Agreement or specified state law does not apply.

What is an open negotiation period?

The open negotiation period is a period of up to 30 business days to determine an agreed-upon amount for the total out-of-network rate (including any cost sharing) for an item or service furnished by a nonparticipating provider, nonparticipating facility, or a nonparticipating provider of air ambulance services to a participant, beneficiary, or enrollee in a group health plan, group or individual health insurance policy, or FEHB carrier and for which a payment is required to be made by the plan or coverage.

What happens at the end of the open negotiation period?

If the parties have not agreed upon a payment amount by the end of the open negotiation period,

_____ (*insert date 30 business days after the date on the open negotiation notice)*, either of us may initiate the Federal IDR process by _____ *(insert date 4 business days after the end of the open negotiation period)*, under which a certified IDR entity will select the payment amount for the item(s) and/or service(s) at issue.

Initiating the Federal IDR process does not prohibit the parties from agreeing on a payment amount after the open negotiation period has ended and before the certified IDR entity determines the payment amount.

Open Negotiation Notice

For more information on the Federal IDR process and to obtain the notice to initiate the Federal IDR process, visit https://www.nsa-idr.cms.gov.

Information on the Parties and Item(s) and/or Service(s)

_____ (*Enter name of party initiating negotiations)*

is initiating an open negotiation period with _____ (*enter name of the non-initiating party)* for the out-of-network rate of the following item(s) and/or service(s). To negotiate, please contact me (the representative of the initiating party) at the email address or telephone number below:

Item(s) and/or service(s) *(Insert additional rows as appropriate.)*

	Description of item(s) and/or service(s)	Claim Number	Name of provider, facility, or provider of air ambulance services, and National Provider Identifier (NPI)	Date Provided	Service Code	Initial payment *(if no initial payment amount, write N/A)*	Offer for total out-of-network rate (including any cost sharing)
1.							
2.							
3.							
4.							
5.							

Signature

Date

Print Name

Relationship to person(s) or entity listed above

Mailing Address

Telephone Number

Email Address

Please keep a copy of this notice for your records.

LOUISIANA BLUE

No Surprises Act
Open Negotiation Notice
Additional Claims Information Worksheet

Additional Item(s) and/or service(s)

Use this worksheet to report additional entries for open negotiations beyond the table on the previous page.

Item #	Description of item(s) and/or service(s)	Claim Number	Name of provider, facility, or provider of air ambulance services, and National Provider Identifier (NPI)	Date Provided	Service Code	Initial payment *(if no initial payment amount, write N/A)*	Offer for total out-of-network rate (including any cost sharing)

Blue Cross and Blue Shield of Louisiana is an independent licensee of the Blue Cross Blue Shield Association.