

UT LAW

30TH ANNUAL
HEALTH LAW CONFERENCE

HEALTH PLANS, PROVIDERS, AND PAYMENT CHALLENGES

James W. Boswell, King & Spalding
Leah Stewart, University of Texas at
Austin, Dell Medical School
Don P. Walker, Texas Children's Hospital

INTRODUCTION

- OON Reimbursement Trends and Problems
 - Different Rules for Different Claims
 - OON Patient Management
- 340B and Managed Care
- Payment Disputes
- MA Payment Matters
- Questions

HEALTH PLANS, PROVIDERS, AND PAYMENT CHALLENGES

UT LAW

30TH ANNUAL
HEALTH LAW CONFERENCE

UT LAW

30TH ANNUAL
HEALTH LAW CONFERENCE

DIFFERENT RULES FOR DIFFERENT CLAIMS

KEY QUESTIONS IMPACTING NON-CONTRACTED LEVEL OF PAYMENT

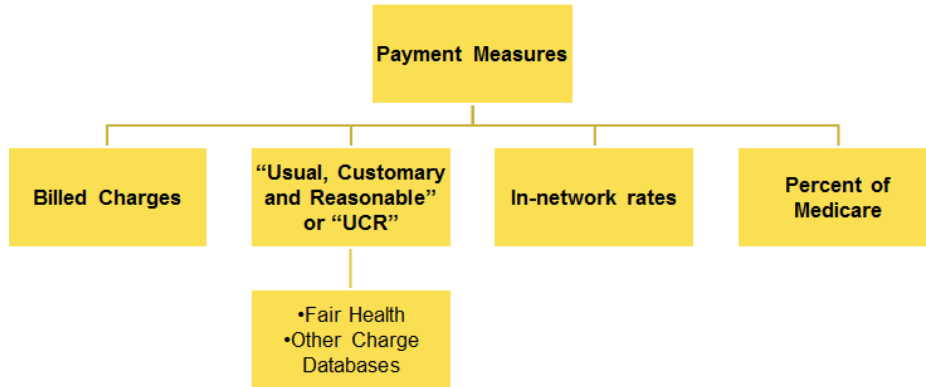
- Is the health plan insured or self-funded?
- Is the coverage under a group health plan or individual insurance policy?
- Is the health plan at issue governed by ERISA?
- Does the claim involve emergency services?
 - Are the services at issue all outpatient/delivered in ED?
 - Was the patient also admitted?
- What pre-authorization did the provider receive from the insurer/health plan?

HEALTH PLANS, PROVIDERS, AND PAYMENT CHALLENGES

UT LAW

30TH ANNUAL
HEALTH LAW CONFERENCE

INSURERS USE A WIDE RANGE OF PAYMENT METHODOLOGIES TO PAY OUT-OF-NETWORK CLAIMS



THE SAME INSURERS CAN USE MULTIPLE METHODOLOGIES FOR PAYING OUT-OF-NETWORK



How we determine what to pay for out-of-network care

* * * * *

Your plan may base the allowed amount on:

- Medicare-based rates, which are determined and maintained by the government
- "Reasonable," "usual and customary" and "prevailing" charges, which are obtained from a database of provider charges
- Other types of rate schedules

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Health Plans, Providers, and Payment Challenges

Also available as part of the eCourse

[2018 Health Law eConference](#)

First appeared as part of the conference materials for the
30th Annual Health Law Conference session

"Health Plans, Providers, and Payment Challenges"