

SUMMARY

Price Transparency Executive Order

Background

On June 24, 2019, President Trump signed an Executive Order (EO) 13877 on *Improving Price and Quality Transparency in American Healthcare to Put Patients First*. The EO sets forth upcoming agency deliverables “to eliminate unnecessary barriers to price and quality transparency; to increase the availability of meaningful price and quality information for patients; to enhance patients’ control over their own healthcare resources, including through tax-preferred medical accounts; and to protect patients from surprise medical bills.” Specific deliverables are below:

Topic	Deliverable	Description	Agency	Date
Informing Patients About Actual Prices				
	Proposed rule	Require hospitals to publicly post standard charge information, including charges and information based on negotiated rates and for common or shoppable items and services, in an easy-to-understand, consumer-friendly, and machine-readable format using consensus-based data standards that will meaningfully inform patients’ decision making and allow patients to compare prices across hospitals	Health & Human Services (HHS)	By August 23, 2019
	Advanced notice of proposed rulemaking	Solicit comment on a proposal to require healthcare providers, health insurance issuers, and self-insured group health plans to provide or facilitate access to information about expected out-of-pocket costs for items or services to patients before they receive care	HHS; Treasury; Labor	By September 22, 2019
	Report	Description of how the Federal Government or the private sector are impeding healthcare price and quality transparency for patients and inclusion of recommendations to eliminate impediments and promote competition	HHS (in consult with Attorney General & Federal Trade Commission)	By December 21, 2019

SUMMARY: Price Transparency Executive Order

<i>Establishing a Health Quality Roadmap</i>				
	Health Quality Roadmap	Align and improve reporting on data and quality measures across Medicare, Medicaid, the Children’s Health Insurance Program, the Health Insurance Marketplace, the Military Health System, and the VA Health System, and include a strategy for common quality measurements and eliminating low-value or counterproductive measures	HHS; Defense; Veterans Affairs (VA)	By December 21, 2019
<i>Increasing Access to Data to Make Healthcare Information More Transparent and Useful to Patients</i>				
	Report	Prepare a list of priority datasets proposed to be de-identified and propose plans for future release of these priority datasets to researchers, innovators, providers, and entrepreneurs	HHS (in consult with Treasury, Defense, Labor, VA & Office of Personnel Management)	By December 21, 2019
<i>Empowering Patients by Enhancing Control Over Their Healthcare Resources</i>				
	Guidance	Expand the ability of patients to select high-deductible health plans that can be used alongside a health savings account and cover low-cost preventive care for individuals with chronic conditions	Treasury	By October 22, 2019
	Proposed rule	Treat expenses related to certain types of arrangements, potentially including direct primary care arrangements and healthcare sharing ministries, as eligible medical expenses under IRS itemized deductions	Treasury	By December 21, 2019
	Guidance	Increase the amount of funds that can carry over without penalty at the end of the year for flexible spending arrangements	Treasury	By December 21, 2019
<i>Addressing Surprise Medical Billing</i>				
	Report	Additional steps to implement the following principles on surprise medical billing:	HHS	By December 21, 2019

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		<ul style="list-style-type: none">• Ensure patients are not price gouged in emergency situations by out-of-network providers they could not choose.• In emergency situations, balance billing for amounts above the in-network allowed amount should be prohibited.• Bring transparency to the confusing and opaque pricing system patients face when scheduling care.• Before scheduling their care, patients should be given information about out of network providers and related costs.		
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For More Information, Please Contact:

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