



December 5, 2022

On Dec. 2, the U.S. Dept. of Health and Human Services (HHS) issued new [FAQs](#) on good faith estimate (GFE) requirements under the No Surprises Act (NSA). Specifically, HHS will continue to delay enforcement of NSA provisions to include co-provider and/or co-facility expected charges for uninsured or self-pay GFEs.

Originally delayed until Jan. 1, 2023, HHS stated it is extending enforcement discretion of this requirement pending future rulemaking. This decision is in response to comments and feedback from organizations, including IHA, indicating that compliance with this provision of the NSA is likely not possible by Jan. 1, 2023.

HHS states that it believes delayed enforcement of this requirement will allow providers, facilities, and other healthcare industry entities to focus resources toward adopting interoperable processes for exchanging information, including GFE information. Any future rulemaking aimed at fully implementing co-provider and co-facility GFE requirements will have a prospective applicability date.

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