

March 3, 2025

The Honorable Robert F. Kennedy Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

The Honorable Scott Bessent
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

The Honorable Vince Micone
Acting Secretary
U.S. Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

RE: Recommendations for Improvements to No Surprises Act Implementation

Dear Secretaries Kennedy and Bessent, and Acting Secretary Micone:

On behalf of the American College of Emergency Physicians (ACEP) and the Emergency Department Practice Management Association (EDPMA), we are writing the Departments of Health and Human Services, Labor, and Treasury (the Departments) regarding the implementation of the *No Surprises Act*¹ to ensure that this monumental law operates as Congress intended. We are fully supportive of the law Congress passed, and thankful for President Trump's support of the law during his first term in office.

As background, ACEP is the national medical society representing emergency medicine. Through continuing education, research, public education and advocacy, ACEP advances emergency care on behalf of its 40,000 emergency physician members, and the nearly 150 million Americans we treat on an annual basis. EDPMA is the nation's only professional trade association focused on the delivery of high-quality, cost-effective care in the emergency department. EDPMA's membership includes emergency medicine physician groups of all sizes, together with billing, coding, and other professional support organizations that assist healthcare clinicians in our nation's emergency departments. EDPMA members see or support 60 percent of all annual emergency department visits in the country. Together, ACEP and EDPMA members provide a large majority of emergency care in our country, including rural and urban settings, in all fifty states and the District of Columbia.

We specifically wish to communicate our unwavering support for the *No Surprises Act*. It contains the first ever federal patient protections from surprise medical bills. The law also contains the process Congress designed for resolving payment disputes for out-of-network clinical care – a process that is fair and balanced but as importantly, continues to protect patients. With that said, the previous Administration spectacularly failed at effectively implementing the law that was passed by Congress and signed into law by President Trump in his first term. The

¹ The No Surprises Act was enacted as part of the Consolidated Appropriations Act of 2021 (enacted 12/27/2020 and became [Public Law No: 116-260](#)).

implementing regulations were ineffective, subverted the intention of the law, were costly to the American taxpayer, and endangered the patients it intended to protect.

We would like to present the Trump Administration with some concrete recommendations and solutions that would improve and streamline the implementation of the *No Surprises Act* and restore functionality for key components of the law. We welcome the chance to work with the new Administration to simplify and clarify key provisions and restore the intended functionality and efficiency of the law that President Trump envisioned.

ACEP and EDPMA have strongly supported, and continue to support, the patient protections embedded within the *No Surprises Act*. We believe that the process delineated by the law keeps patients out of the middle of billing disputes and that changes to Biden-era regulations would restore efficiency and effectiveness, reduce waste, and increase the stability of physician practices.

Together, ACEP and EDPMA has a long history of being solution-oriented partners with federal agencies. We offer ourselves as constructive partners as you navigate the plethora of guidance documents, court rulings, and rule iterations from the previous Administration's troubled implementation. We would greatly appreciate the opportunity to meet with you to discuss improvements and policy solutions in more detail.

If you have any questions and would like to schedule a meeting with us, please do not hesitate to contact us. Please contact Erin Grossmann at egrossmann@acep.org or Christopher Krueger at ckrueger@kellencompany.com to arrange a date and time.

Sincerely,



Alison J. Haddock, MD, FACEP
President
American College of Emergency Physicians



Andrea Brault, MD, MMM, FACEP
Chair
Emergency Department Practice Management Association