

What Are the Health Plan ID Card Transparency Requirements?

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QUESTION: We understand that our group health plan's ID cards are subject to specific content requirements. What are the ID card transparency requirements and when do they apply?

ANSWER: For plan years beginning on or after January 1, 2022, any physical or electronic plan or insurance identification card issued to group health plan participants or beneficiaries must clearly state the following information: (1) any applicable deductible; (2) any applicable out-of-pocket maximum limitation; and (3) a telephone number and internet website address through which the individual may seek consumer-assistance information, such as information related to hospitals and urgent care facilities that have a contractual relationship with the plan.

The agencies have advised that they intend to issue rules addressing implementation of this requirement, but in the meantime, plans are expected to implement the ID card requirements using a good faith, reasonable interpretation of the law. When analyzing a plan's efforts to comply, the agencies will consider whether the information on ID cards is reasonably designed and implemented to provide the required information to all participants and beneficiaries; whether required data elements not included on the face of an ID card are made available through information provided on the card, as well as the mode by which any absent information is made available; and the date by which a plan makes required information available on relevant ID cards.

For example, a plan would not be considered out of compliance with the ID card requirements if the plan includes on physical or electronic ID cards: (1) the applicable major medical deductible and out-of-pocket maximum, and (2) a telephone number and website address for individuals to seek consumer assistance and access additional applicable deductibles and maximum out-of-pocket limits. Additional deductibles and out-of-pocket maximum limits could also be provided on a website that is accessed through a Quick Response (QR) code on the ID card or through a hyperlink in the case of a digital ID card.

For more information, see EBIA's Health Care Reform manual at Section XXXVII.E.2 ("ID Transparency Disclosures"). See also EBIA's Self-Insured Health Plans manual at Section XXVIII.I ("Surprise Medical Billing Transparency Disclosures").

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