

# LEGAL UPDATE

## Health Plans Must Provide Price Comparison Tool for 2023

Beginning in 2023, group health plans and health insurance issuers must make an **internet-based price comparison tool** available to participants, beneficiaries and enrollees. The purpose of this tool is to provide consumers with real-time estimates of their cost-sharing liability from different providers for covered items and services, including prescription drugs, so they can shop and compare prices before receiving care. Upon request, plans and issuers also must provide this information in paper form or over the telephone.

### Compliance Deadlines

For plan years beginning on or after **Jan. 1, 2023**, plans and issuers must make price comparison information available for 500 shoppable items, services and drugs. For plan years beginning on or after **Jan. 1, 2024**, price comparison information must be available for all covered items, services and drugs.

### Action Steps

Most employers will rely on their issuers or third-party administrators (TPAs) to develop and maintain the price comparison tool and provide related disclosures on paper or over the phone upon request.

- **Fully insured plans**—Employers with fully insured health plans should confirm that their issuer will comply with the price comparison tool requirements beginning with 2023 plan years and ensure this compliance responsibility is reflected in a written agreement.
- **Self-insured plans**—Employers with self-insured plans should reach out to their TPAs (or other service providers) to confirm they will be in compliance by the deadline and update agreements to reflect this responsibility. In addition, employers should monitor their TPAs' compliance with this requirement. Unlike fully insured plans, the legal responsibility for this tool stays with a self-insured plan even if its TPA agrees to provide the price comparison tool on its behalf.

### Deadlines and Resources

#### Plan Years Beginning in 2023

Price comparison tool must provide cost-sharing information for 500 items and services.

#### Plan Years Beginning in 2024

Price comparison tool must provide cost-sharing information for all covered items and services.

#### Resources

More information, including the list of 500 items and services, is available through the [Centers for Medicare and Medicaid Services](#).

***Most employers will rely on their issuers or TPAs to provide the price comparison tool.***

Provided to you by **Apex Benefits**

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