

Announcement

Anthem

CAA gag clause compliance requirements

06/21/2023

Smallgroup, Largegroup, Nationalaccount | CA, CO, CT, GA, IN, KY, ME, MO, NV, NH, OH, VA, WI
We're emailing your clients with information about the Consolidated Appropriations Act (CAA) [gag clause provision](#). It prohibits group health plans and health insurance issuers offering group health insurance coverage from entering into an agreement between a plan or issuer and a healthcare provider, network or association of providers, third-party administrator, or another service provider offering access to a network of providers that would directly or indirectly restrict a plan or issuer from disclosing or accessing certain price and quality information.

Group health plans and issuers are required to submit an attestation each year to confirm compliance with the prohibition on gag clauses.

We're emailing your clients to explain how they can make sure the attestation is submitted and to provide the following confirmation of compliance for business and information that we administer and maintain.

Anthem represents that the administrative services provided under its Administrative Services agreements are consistent with the requirements set forth in Section 201 of the Consolidated Appropriations Act, 2021.

Fully insured clients

We're telling fully insured clients that we'll file the Gag Clause Prohibition Compliance Attestation on their behalf by the December 31, 2023, deadline. There is no action required of them. (Also applies to Small Group MEWA, ABF, Minimum Premium, and FEHP.)

ASO clients

Administrative Service Only (ASO) clients can **complete their own attestation** through the [CMS HIOS portal](#) by the December 31, 2023, deadline. They must work with any third-party or carveout vendor they work with for any portion of their data requiring attestation, such as carveout PBM.

They can also **request that we file the attestation** on their behalf by completing [this form](#) by August 15, 2023.

JAA & MCS clients

JAA & MCS clients must complete the attestation on the [CMS HIOS portal](#) by the December 31, 2023, deadline. The portal provides submission instructions to complete the attestation.

If you have any questions or would like copies of the employer notices, please contact your sales representative.