

April 15, 2020

**ILLINOIS HEALTH AND HOSPITAL ASSOCIATION
M E M O R A N D U M**

SUBJECT: Requirement to Publicize Cash Price for COVID-19 Testing

The Coronavirus Aid, Relief, and Economic Security (CARES) Act requires all providers, **including hospitals and hospital physician groups**, offering laboratory tests for COVID-19 to make public the cash price for diagnostic testing. Specifically, H.R. 748 Section 3202(b) requires providers to make the cash price for COVID-19 diagnostic tests available on the provider's public website. The CARES Act allows the Secretary of Health and Human Services (Secretary) to impose a civil monetary penalty on any providers that fail to comply with this requirement. The Secretary may assess a penalty of up to \$300 dollars each day that the provider is out of compliance and fails to submit a corrective action plan.

This price transparency provision is tied to an additional CARES Act requirement that private payers must cover diagnostic laboratory tests and related screening services for COVID-19, reimbursing provider of the diagnostic testing at the negotiated rate or, in the absence of a negotiated rate, at the posted cash price or at a rate negotiated between the plan and provider for less than the cash price.

Therefore, it is important that all providers post their cash price for all COVID-19 diagnostic tests and related services. Hospitals already have public information on the list price of testing related services as the Affordable Care Act required hospitals to publish chargemaster information. However, IHA recognizes that hospital physician groups may not have similar information publicly available. Therefore, hospital physician groups may want to mirror their hospital counterparts, making public all cash prices related to COVID-19 testing and related services.

On April 11, the Departments of Labor, Health and Human Services, and the Treasury issued [guidance](#) on this and other commercial payment issues included in the Families First Coronavirus Response Act and the CARES Act. IHA's summary of this guidance is [here](#).