



# BILLING DISPUTES MADE UNDER TERMS OF THE PROVIDER'S CONTRACT WITH HIGHMARK

## ANTI-ASSIGNMENT PROVISION: DEFINED

This announcement is meant to provide clarification for all Highmark participating providers in Pennsylvania, Delaware and West Virginia regarding Highmark's internal billing dispute process. This announcement also defines the anti-assignment provision, which exists within all Highmark insurance policies for members.

### Disputes Overview:

Any provider that treats a Highmark member has the right to dispute claims payment decisions made by Highmark. Any claim dispute between a provider and Highmark arising from a provider's request for payment is solely a contract dispute between the provider and Highmark, and does not involve any other party. Accordingly, it is important to note that the dispute must not be made against the plan through which a member receives benefits. This limitation applies to plans governed by the Employee Retirement Income Security Act of 1974 (ERISA) and/or the Patient Protection and Affordable Care Act of 2010 (PPACA).

Please note that neither plans nor plan sponsors are parties to any contracts with providers. The terms as to which providers are bound by are governed by its contract with Highmark. Such provider contracts are not binding upon any plan or plan sponsor.

### Anti-Assignment Provision:

All Highmark insurance policies for members contain anti-assignment provisions. This means that a provider cannot be a "participant" or "beneficiary" or "receive benefits" (covered services) under the terms of a member's plan (whether insured or self-insured). Only members are entitled to receive benefits. As a result, a provider cannot dispute a claim with benefit plans or plan sponsors in the event a member's benefits are denied in whole or in part.

The Highmark Blue Shield Office Manual and the Highmark Facility Manual will soon be updated to reflect the information outlined above. Please look for these manuals on the Provider Resource Center either under the *Administrative Reference Materials* link and/or under the *Facility Manuals* link.