



TO: Our Valued Clients and Brokers
FROM: Health Plans, Inc.
DATE: October 19, 2023
RE: Compliance *eBlast*: HPI Formal Statement Gag Clause Requirement

Health Plans, Inc. (HPI) is issuing this Compliance *eBlast* and the attached PDF to inform clients that HPI's administrative services agreement with the client meets the Gag Clause Requirement of the 2021 Consolidated Appropriations Act.

As we wrote in the 10/12/2023 *eBlast* concerning the Gag Clause Attestation ([here](#)), HPI cannot attest on behalf of our self-funded clients. HPI can, however, provide a formal statement to our clients that HPI's administrative services agreement with the client meets the Gag Clause Requirement. To help streamline this new process, HPI has decided to issue this formal statement directly to our clients. Please see the attached PDF document titled "HPI Gag Clause Statement".

For additional assistance, please contact your HPI Account Service Team.

Regards,

Andrew H. A. Meggison

Director, Regulatory Affairs

HealthPlansInc.com

1500 West Park Drive, Suite 330

Westborough, MA 01581

The information in this *Compliance eBlast* is intended to provide a summary of our current understanding of recent regulatory developments which may affect our clients' plans. It should not be construed as specific legal advice or legal opinion.

October 19, 2023

To Our Valued Client,

This notice is to advise you that the Administrative Services Agreement by and between Health Plans, Inc. (HPI), your third-party administrator (TPA), and your company meets the Gag Clause Requirement of the 2021 Consolidated Appropriations Act ("CAA") and does not contain any Gag Clause Prohibition as outlined in the CAA. The Gag Clause Prohibition, which is an integral part of healthcare laws and regulations, mandates that no individual or entity, including TPAs, may impose "gag clauses" that inhibit or restrict the free exchange of information between healthcare providers and patients. These clauses have the potential to undermine transparency and obstruct open communication regarding healthcare choices and costs, ultimately limiting the patient's ability to make informed decisions about their care.

As a TPA, HPI:

- Does not engage in any practices that prevent or discourage healthcare providers from discussing all relevant treatment options, including costs, with their patients.
- Does not include "gag clauses" in our Administrative Services Agreements with our clients.
- Encourages and supports transparent and open communication between healthcare providers and patients to facilitate informed healthcare decisions.

If you have any questions or require further information regarding our commitment to the Gag Clause Prohibition or any other aspect of our services, please do not hesitate to contact your HPI Account Service Team.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew H. A. Meggison". The signature is written in a cursive, flowing style.

Andrew H. A. Meggison
Director, Regulatory Affairs