

MotivHealth Insurance Company is keeping our Groups up to date about the Consolidated Appropriations Act (CAA) **gag clause provision**. The law prohibits group health plans offering group health coverage from entering into an agreement that bans disclosing certain price and quality information. The gag clause provision applies to agreements between a plan and

1. a healthcare provider,
2. network or association of providers,
3. third-party administrator, or
4. another service provider offering access to a network of providers

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

***MotivHealth attests 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.***

**The Annual Attestation Deadline is December 31.**

### **Fully Insured clients**

MotivHealth will file the Gag Clause Prohibition Compliance Attestation on their behalf by the deadline.

### **Administrative Service Only (ASO) clients**

MotivHealth will file the Gag Clause Prohibition Compliance Attestation on their behalf by the deadline. ASO clients can complete their own attestation through the **CMS HIOS** portal. ASO clients must work with any third-party or carveout vendor they work with for any portion of their data requiring attestation, such as carveout PBM.

If any ASO client does not want MotivHealth to complete the attestation, they must notify their MotivHealth Account Manager no later than November 30.

Please contact your MotivHealth Account Manager should you have any questions.

