



October 12, 2021

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

The Honorable Martin Walsh
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, D.C. 20210

The Honorable Janet Yellen
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

Dear Secretaries Becerra, Yellen and Walsh:

On behalf of the National Retail Federation (NRF), I write to thank you for your efforts to implement the bipartisan No Surprises Act. NRF supports the latest iteration of the interim final regulations published on September 30, 2021.

NRF, the world's largest retail trade association, passionately advocates for the people, brands, policies and ideas that help retail thrive. From its headquarters in Washington, D.C., NRF empowers the industry that powers the economy. Retail is the nation's largest private-sector employer, contributing \$3.9 trillion to annual GDP and supporting one in four U.S. jobs — 52 million working Americans. For over a century, NRF has been a voice for every retailer and every retail job, educating, inspiring and communicating the powerful impact retail has on local communities and global economies.

All sides of this debate agree that patients should be shielded from receiving unexpected “surprise” medical bills. Where parties diverge is how much health insurance costs will increase because of unfettered arbitration claims by medical providers and their private equity owners. We believe, consistent with the Congressional Budget Office (CBO) estimate, that a primary focus on the Qualified Payment Amount (QPA) will both fairly compensate medical providers and hold down coverage costs for employer sponsors and our employees.

The latest iteration of the draft interim final regulations rightly emphasizes the QPA, while allowing the arbitration mediator to consider additional factors only as required. This is

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crucial to achieving the budget savings CBO envisioned and to shielding patients from surprise bills and ever higher insurance premium costs.

Again, NRF is appreciative of your efforts to implement the No Surprises Act. We believe these efforts are fully consistent with Congressional intent in passing this bipartisan legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "David French".

David French
Senior Vice President
Government Relations