



# Notice for fully-insured and self-funded group medical health plan sponsors



## Gag Clause Prohibition Compliance update under the Consolidated Appropriations Act, 2021 (CAA)

### Attestation required by December 31, 2023

At Humana, we value our customers and are committed to keeping you informed throughout the ongoing reporting requirements under the Consolidated Appropriations Act, 2021 (CAA) and support efforts that provide greater transparency to help protect consumers.

The CAA Prohibition on Gag Clauses provision requires an annual Gag Clause Prohibition Compliance Attestation (GCPCA) by group health plan sponsors. A “gag clause” is a contractual term that directly or indirectly restricts specific data and information that a plan or issuer can make available to another party. The prohibition applies to agreements between group health plans or insurers and providers, third-party administrators (TPAs), or other service providers.

To ensure the most accurate information is submitted, all group medical health plan sponsors will be required to complete and submit their own Gag Clause Prohibition Compliance Attestation via the process established by the Tri-Agencies by **December 31, 2023**. Humana is not submitting an attestation on behalf of fully-insured or self-funded group health plan sponsors due to Humana’s ongoing exit from the employer group medical business and because Humana lacks vital group information required to file the attestation.

To assist in your submission, Humana confirms compliance with the gag clause prohibition requirements in its provider agreements. This confirmation of compliance is limited to the provider agreement types managed by Humana for your health plan.

A link to the template and instructions for completing this attestation can be found below.

[Instructions for submitting the GCPCA](#)

[GCPCA Reporting Entity Excel Template](#)

As the requirements and actions to achieve these provisions continue to evolve, we will continue to provide updates and guidance as quickly as possible. If you have any questions, please reach out to your Humana account representative.

