Federal Independent Dispute Resolution (IDR) Operations Final Rules Implementation Timeline Guide for Certified IDR Entities and Disputing Parties

August 7, 2026

Topic: Federal IDR Operations Final Rules Implementation Timeline

Purpose:
On June 4, 2026, the Departments of Labor, Health and Human Services (HHS), and the Treasury (collectively, the Departments), along with the Office of Personnel Management (OPM), published the Federal IDR Operations final rules (final rules)[1] to improve the functioning of the Federal IDR process by streamlining communication between group health plans and health insurance issuers ("payers"); providers, facilities, and providers of air ambulance services ("providers"); and certified IDR entities, and establishing new timelines and processes. Specifically, these final rules:

- Set forth new requirements related to the disclosure of information that payers must include along with the initial payment or notice of denial of payment for certain items and services subject to the surprise billing protections in the No Surprises Act;
- Require payers to use claim adjustment reason codes (CARCs) and remittance advice remark codes (RARCs), in a timeframe and manner specified in the guidance issued by the Departments, or as required under 45 CFR part 162, when providing any paper or electronic remittance advice to an entity with which the payer does not have a direct or indirect contractual relationship with respect to the furnishing of an item or service under the plan or coverage, to communicate whether the item or service is subject to the No Surprises Act's surprise billing and Federal IDR process provisions;
- Amend certain requirements related to the open negotiation period preceding the Federal IDR process, the initiation of the Federal IDR process, the selection of certified IDR entities, and the Federal IDR process eligibility review;
- Amend certain requirements related to the amount and payment of administrative fees and certified IDR entity fees, including reducing the administrative fee amount from $115 per party per dispute to $15 per party per dispute for disputes initiated on or after June 11, 2026;
- Amend requirements related to batched items and services, the definition of bundled payment arrangements, withdrawals, and the extension of timelines due to extenuating circumstances; and
- Require payers to register in the Federal IDR Portal (soon-to-be IDR Gateway).[2]

The requirements in these final rules have varying applicability dates, many of which are dependent upon the availability of the operational functionalities within the soon-to-be IDR Gateway to support the provision. This document is intended to clarify the applicability dates and the implementation approach for each provision.

[1] https://www.federalregister.gov/d/2026-11140/p-1
[2] Notice that the IDR Gateway is coming in late 2026: https://www.cms.gov/nosurprises/notices

Q1: How will payers know which specified CARCs and RARCs must be included on paper and electronic remittance advice as required by these final rules?
On July 17, 2026, the Departments issued guidance regarding the manner and timeframe for providing CARCs and RARCs under the final rules. The guidance specifies the RARCs to be used, the circumstances in which each RARC is to be used, and technical instructions to facilitate their use. Use of the specified RARCs in the circumstances detailed in the guidance and any related future guidance will satisfy the requirements related to the use of CARCs and RARCs under the final rules. Plans and issuers may continue to use the CARC they deem most appropriate for any claim adjustment.[3] The requirement to provide CARCs and RARCs in the manner and timeframe specified in the guidance applies for items and services furnished on or after January 1, 2027. This guidance is available at https://www.cms.gov/cciio/programs-and-initiatives/other-insurance-protections/caa-nsa-rarc-codes.pdf and will be updated as necessary.

Q2: The Departments indicated that certain provisions in these final rules will become applicable (and therefore, compliance with the applicable provision will be required) after the Departments announce that the functionality supporting such provisions is available in the Federal IDR Portal (soon-to-be the IDR Gateway). What does this mean? When will that occur?
The Departments will develop IDR Gateway functions to implement relevant provisions of these final rules on a rolling basis. As the functions supporting the relevant provision are operationalized, the Departments will provide notice to the public and to disputing parties before the functionality supporting such provisions is available. The notice will include the applicability date.

The following provisions are generally applicable to disputes with open negotiation periods beginning 90 calendar days after the Departments issue guidance announcing that the functionality supporting the relevant provision becomes available:

- The requirements regarding the open negotiation notice, open negotiation response notice, notice of IDR initiation, and notice of IDR initiation response;
- The requirements governing the selection of a certified IDR entity, the Federal IDR process eligibility review, withdrawal requests submitted through the IDR Gateway, and the treatment of batched and bundled qualified IDR items and services (see Q6 below);
- Amendments made to the deadline for the submission of offers and payment determinations and notification of the selected offer; and
- Amendments made to the suspension of certain subsequent IDR requests and subsequent submission of requests.

The provision requiring payers to register in the Federal IDR Gateway requires initial registration to be completed by the later of the date that is 90 business days after the Departments announce that the functionality supporting the registry has become available, or the date the plan sponsor or health insurance issuer begins offering a group health plan or health insurance coverage, or the date a Federal Employees Health Benefits (FEHB) Program carrier begins offering an FEHB plan subject to the Federal IDR process.

[3] The Departments may specify particular CARCs to be used in certain circumstances in future guidance.

Q3: In what order do the Departments plan to implement functionalities in the IDR Gateway supporting provisions in these final rules? When will the IDR Gateway functions be available?

The Federal IDR process will transition from single-use web forms to the new IDR Gateway platform in the latter half of 2026. The Departments expect to implement new IDR Gateway functionalities in Spring 2027 to support provisions of these final rules in the following order, which is prioritized based on the complexity of the build and the impact the provision will have on improving the Federal IDR process:

1. IDR Registry;
2. Suspension of resubmission of incorrectly batched or bundled disputes (effective 120 days after the 90 business day registration period for the IDR Registry expires);
3. Open negotiation;
4. Initiation;
5. Certified IDR entity selection;
6. Withdrawal requests submitted through the IDR Gateway;
7. Extensions.

Q4: How will the Departments notify the public about new IDR Gateway functions and the associated applicability dates for provisions of the final rules?

The Departments will provide notice before IDR Gateway functions become available, and compliance with the new IDR Gateway functions for applicable provisions will be required for disputes with open negotiation periods beginning 90 calendar days after such notice is issued. The Departments will post these notices on the CMS No Surprises Notices webpage[4] and will send emails to all certified IDR entities and disputing parties on the Departments' IDR mailing list. To subscribe to this mailing list, please visit: https://public.govdelivery.com/accounts/USCMS/subscriber/new?preferences=true#tab1.

Q5: Which provisions in these final rules are not tied to IDR Gateway functionality, and when will they become applicable?

There are several provisions in these final rules that are not tied to IDR Gateway functionality. Many provisions have an applicability date of August 3, 2026, which is the effective date of the final rules. See *Table 1. IDR Operations Rule Requirements and Applicability Dates* below.

These provisions include:

- The definition of a bundled payment arrangement;
- The disclosure requirements addressing information to be shared about the qualifying payment amount (QPA);
- The certified IDR entity procedures to retain the certified IDR entity fee; and
- The changes governing the timing of payment of the certified IDR entity fee, clarifications and codifications of the existing policies related to failure to timely pay the certified IDR entity fee or administrative fee, and method of allocation of the certified IDR entity fee in the event of a payment determination, agreement, or withdrawal.

[4] https://www.cms.gov/nosurprises/notices

Additionally, the administrative fee amount of $15 per party per dispute applies to disputes initiated on or after June 11, 2026, which is 5 business days after the publication date of the final rules.

Q6: When are the batching provisions in these final rules applicable?
The ***definition of batched qualified IDR items and services*** is applicable to disputes with open negotiation periods beginning on or after November 1, 2026, which is 90 calendar days after the effective date of the final rules. The final rules also include an applicability date for the ***treatment of batched qualified IDR items and services***, which applies to disputes with open negotiation periods beginning 90 calendar days after the Departments issue notice that the functionality supporting this requirement has become available. The Departments issued this notice on August 3, 2026.[5] Therefore, all batching provisions of the final rules will be applicable for disputes with open negotiation periods starting on or after November 1, 2026.

Table 1. Federal IDR Operations Final Rules Requirements and Applicability Dates

Final Rules Requirements	Applicability Date
• $15 administrative fee per party per dispute	June 11, 2026, which is 5 business days after publication of these final rules.
• Definition of a bundled payment arrangement • Disclosure requirements addressing information to be shared about the qualifying payment amount (QPA) • Certified IDR entity procedures to retain the certified IDR entity fee • Clarifications and codifications of existing policies regarding failure to timely pay the certified IDR entity fee or administrative fee, and the method of allocation of the certified IDR entity fee in the event of a payment determination, agreement, or withdrawal	August 3, 2026, which is the effective date of the final rules.
• Requirements regarding use of CARCs and RARCs disclosures	Items and services furnished on or after January 1, 2027.[6]

• All batching provisions, including:
    ○ Batched line-item limits
    ○ Definition of batched qualified IDR items and services
	Disputes with open negotiation periods beginning on or after November 1, 2026, which is 90 calendar days after the effective date of the final rules and after Departments announced that the functionality supporting the relevant provision will be available.

[5] https://www.cms.gov/nosurprises/notices.
[6] www.cms.gov/cciio/programs-and-initiatives/other-insurance-protections/caa-nsa-rarc-codes.pdf

Final Rules Requirements	Applicability Date
o Cooling-off periods for batched disputes o Treatment of batched and bundled qualified IDR items and services	
• Open negotiation • Initiation • Certified IDR entity selection • Remaining withdrawal provisions • Extensions	These provisions will become applicable 90 calendar days after the Departments announce that the functionality supporting the relevant provision becomes available.
• IDR Registry	Registration must be completed by the later of the date that is 90 business days after the Departments issue guidance announcing that the IDR Gateway functionality supporting the registry has become available, or the date the plan sponsor or health insurance issuer begins offering a group health plan or health insurance coverage or FEHB Program carrier begins offering an FEHB plan subject to the Federal IDR process.
• Suspension of resubmissions	Suspension of the resubmission of incorrectly batched or bundled disputes takes effect 120 days after the 90 business day registration period for the IDR Registry expires.