

Fact Sheet: Clearing the Independent Dispute Resolution Backlog

September 2025

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The No Surprises Act (NSA) established federal protections for consumers from certain types of surprise medical bills. In circumstances where the NSA applies, the Federal Independent Dispute Resolution (IDR) process was established so that independent arbitrators – known as certified IDR entities – could resolve eligible surprise billing disputes between health care providers, health care facilities, and providers of air ambulance services (providers) and plans, issuers, and FEHB carriers (payers) by determining prices for out-of-network services. The Federal IDR process keeps patients out of the middle of certain surprise billing disputes, allowing them to focus on their health.

When it first opened in 2022, the Federal IDR portal received an influx of disputes nearly 14 times greater than what was initially projected—and the annual volume is now more than 100 times the initial projection. This volume demonstrates the magnitude of the surprise billing crisis that was harming consumers. At the same time, the initial influx of initiation requests created serious capacity issues for the IDR system, resulting in a backlog of unresolved disputes.

Over the past year, the Departments of Health and Human Services, Labor, and the Treasury (the Departments) have taken steps to resolve these capacity issues and clear the IDR backlog. The Departments worked with certified IDR entities and disputing parties to refine and streamline IDR operational processes, including:

- Implementing automated validations to help prevent the initiation of ineligible disputes,
- Hosting stakeholder education events to improve dispute quality,
- Publishing additional guidance to disputing parties and IDREs,¹
- Meeting one-on-one with IDR entities regularly to discuss operational performance and answer questions, and
- Pausing severely backlogged IDR entities' ability to accept new disputes until they resolved their dispute backlog.

The Departments' efforts have delivered remarkable improvements in the throughput of cases compared to prior years. **IDR entities are now resolving disputes faster than they are submitted.**

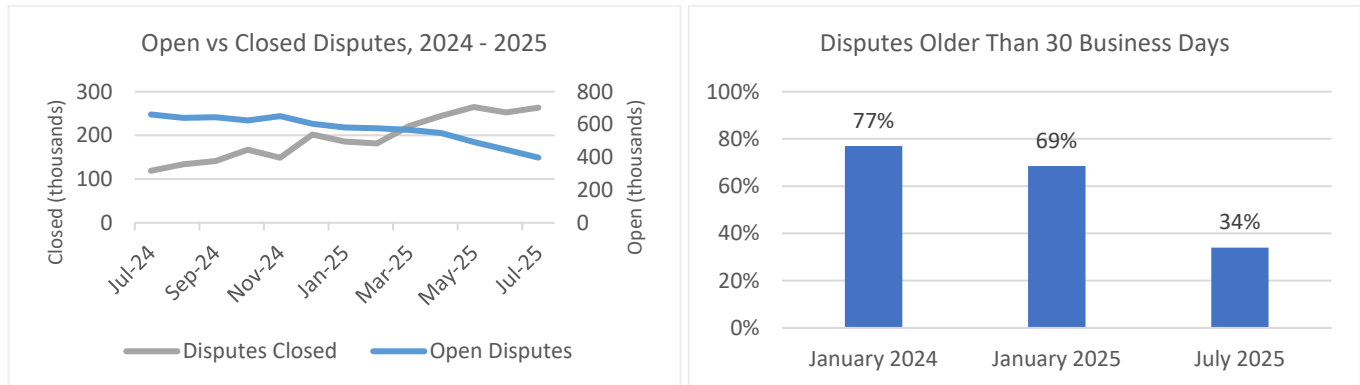
Streamlined Dispute Resolution from 2022 to 2025

During the initial years of IDR implementation, the program struggled to keep pace with the unexpectedly high number of dispute initiations. In the first year of implementation, certified IDR entities reached a payment determination in only 8% of all disputes submitted. While this percentage improved over time, at the start of 2025, more than 600,000 disputes still awaited determinations. Additionally, providers and payers faced significant delays in dispute resolution, with 69% of open disputes being more than 30 business days old at the start of 2025.

¹ See [FAQs about Consolidated Appropriations Act, 2021 Implementation \(Set 69\) – \(January 14, 2025\) \(PDF\)](#), [Federal Independent Dispute Resolution \(IDR\) Technical Assistance for Certified IDR Entities and Disputing Parties: Errors Identified After Dispute Closure \(June 6, 2025\) \(PDF\)](#), and [FAQs about Consolidated Appropriations Act, 2021 and Affordable Care Act Implementation \(Set 71\) – \(July 30, 2025\) \(PDF\)](#).

Now, as of July 2025, **96.5% of all IDR disputes submitted since the beginning of the program have either been resolved or are less than 30 business days old.** (30 business days from IDR entity selection is the general target length of time for dispute resolution under the NSA.)

The majority of disputes – 90% of all disputes submitted – have been resolved. And, of the 363,099 disputes still outstanding as of July 2025, only 34% are more than 30 days old.



Figures 1a and 1b: The Departments' work with certified IDR entities has sharply reduced open IDR disputes in 2025, increased monthly dispute closures, and decreased the percentage of disputes open more than 30 business days.

Additional improvements are highlighted in the [latest IDR bimonthly report](#):

- **213,585 new disputes** were initiated in the month of July 2025. This is more than the total number of disputes submitted in IDR's first year.
- **263,350 disputes were closed** by certified IDR entities in July 2025 - 23% more closures than new disputes.

Increasing Capacity in the IDR system

The Departments have added **two new certified IDR entities** who are now accepting disputes, increasing the total number of certified IDR entities to 15 since 2022. The Departments seek to continue to certify new IDR entities to support the Federal IDR process, strengthen our dispute resolution infrastructure, and decrease the dispute backlog.

To date, we have received **over 120 IDR entity applications** for certification and have finalized review of more than three-quarters of these applications. The Departments will continue to thoroughly review each IDR entity applicant, ensuring they meet statutory and regulatory requirements and have the expertise and capacity to provide timely, high-quality decisions. A list of certified independent dispute resolution entities can be found [on the No Surprises Act website](#).

Future Improvements

Going forward, the Departments will continue to certify applicants to grow system capacity and will continue to enhance and modernize the IDR portal. On July 1, 2025, we launched updates to the Federal IDR portal's web forms to streamline operations and enhance the quality of data used to determine dispute eligibility. These updates seek to eliminate ineligible disputes and transform the IDR experience for both payers and providers.

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For more information about the Federal Independent Dispute Resolution process and the latest program updates, visit www.cms.gov/nosurprises.



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