

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Tamagnini v. Horizon Blue Cross Blue Shield of New Jersey

Civil Action No. 25-02022 (SRC) (D.N.J. Dec. 2, 2025) · No. 2:25-cv-02022 (SRC) · Decided December 2, 2025

SUMMARY

The District Court for the District of New Jersey granted Horizon Blue Cross Blue Shield of New Jersey’s unopposed Rule 12(b)(6) motion to dismiss a complaint seeking confirmation and enforcement of No Surprises Act independent dispute resolution determinations. The court held that the statutory IDR process was not an arbitration eligible for confirmation under Section 9 of the Federal Arbitration Act because the parties had no written arbitration agreement. The court further held that the No Surprises Act does not create an express or implied private right of action to judicially enforce IDR awards and instead provides an administrative enforcement scheme.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Stanley R. Chesler
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 2, 2025
DOCKET	2:25-cv-02022 (SRC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the complaint, which sought confirmation and enforcement under the Federal Arbitration Act of independent dispute resolution determinations issued under the No Surprises Act. The court granted the motion and dismissed the claims.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations and reasonable inferences as true but disregards conclusory allegations, determining whether the complaint states a facially plausible claim. The court may consider documents integral to or explicitly relied upon in the complaint. For a Rule 12(b)(1) motion, the plaintiff bears the burden of establishing subject-matter jurisdiction, and a facial attack is evaluated from the pleadings viewed in the plaintiff's favor.

PRECEDENTIAL VALUE	unpublished_nonprecedential
PARTIES	Gregory Tamagnini v. Horizon Blue Cross Blue Shield of New Jersey

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QUESTIONS PRESENTED

1. Whether an independent dispute resolution determination issued under the No Surprises Act may be confirmed and enforced under § 9 of the Federal Arbitration Act absent a written agreement between the provider and insurer to arbitrate.
2. Whether the No Surprises Act creates an express or implied private right of action permitting a provider to obtain judicial confirmation or enforcement of an IDR determination.
3. Whether the complaint stated a claim for relief under the FAA or the No Surprises Act.

HOLDINGS

1. The court lacks jurisdiction to confirm the IDR determinations under FAA § 9 because the statutory IDR process is not an arbitration governed by the FAA and the parties had no written agreement to arbitrate.
2. The No Surprises Act does not create an express or implied private right of action allowing a provider to seek judicial confirmation or enforcement of an IDR determination. The statute limits judicial review to the specified FAA § 10(a) vacatur circumstances and provides an administrative enforcement scheme instead.

KEY QUOTATIONS

“Thus, the very nature of the IDR process is too different from a traditional arbitration as contemplated by the FAA for this Court to find that Congress intended for the FAA to govern the IDR process.” (10)

“The Court therefore concludes that the NSA does not create an express or implied private cause of action.” (14)

FACTUAL BACKGROUND

Gregory Tamagnini, an out-of-network podiatry provider, performed surgery on a patient insured under a Horizon health plan and billed Horizon for services identified by CPT codes 27698 and 29898. Horizon made partial payments, and the parties proceeded through the No Surprises Act's independent dispute resolution process. On April 12, 2024, the IDR entity selected Tamagnini's offers of \$14,800 and \$11,600, but Horizon allegedly failed to pay the remaining \$24,836.95 by the statutory deadline. Tamagnini filed suit seeking confirmation of the IDR determinations under FAA § 9, payment of the balance, and fees and costs.

PROCEDURAL HISTORY

Plaintiff filed the complaint on March 21, 2025. Defendant moved to dismiss on August 27, 2025, and Plaintiff filed no opposition. The district court decided the motion without oral argument under Federal Rule of Civil Procedure 78(b) and Local Civil Rule 78.1(b), granting dismissal of both the FAA confirmation claim and the No Surprises Act claim.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. v. Twombly, 550 U.S. 544, 570 (2007)
- In re Burlington Coat Factory Secs. Litig., 114 F.3d 1410, 1420, 1426 (3d Cir. 1997)
- Northlight Harbor, LLC v. United States, 561 F. Supp. 2d 517, 520-21 (D.N.J. 2008)
- Wright v. N.J./Dep't of Educ., 115 F. Supp. 3d 490, 495 (D.N.J. 2015)
- Maertin v. Armstrong World Indus., Inc., 241 F. Supp. 2d 434, 445 (D.N.J. 2002)
- New Hope Books, Inc. v. Farmer, 82 F. Supp. 2d 321, 324 (D.N.J. 2000)
- United States ex rel. FLFMC, LLC v. TFH Publ's, Inc., 855 F. Supp. 2d 300, 304 (D.N.J. 2012)
- Symczyk v. Genesis HealthCare Corp., 656 F.3d 189, 191 n.4 (3d Cir. 2011)
- Texas Med. Ass'n v. United States Dep't of Health & Hum. Servs., 587 F. Supp. 3d 528, 533-34 (E.D. Tex. 2022)
- Rent-A-Ctr., W., Inc. v. Jackson, 561 U.S. 63, 67 (2010)
- Maine Cmty. Health Options v. United States, 590 U.S. 296, 324 (2020)
- Wisniewski v. Rodale, Inc., 510 F.3d 294, 305 (3d Cir. 2007)
- Modern Orthopaedics of NJ v. Premera Blue Cross, No. 2:25-CV-01087 (BRM) (JSA), 2025 WL 3063648, at *12 (D.N.J. Nov. 3, 2025)
- Concrete Pipe & Prods. of Cal., Inc. v. Constr. Laborers Pension Trust, 508 U.S. 602, 611 (1993)
- Alexander v. Sandoval, 532 U.S. 275, 290 (2001)
- Gonzaga Univ. v. Doe, 536 U.S. 273, 290 (2002)

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