

July 19, 2017

The Honorable Greg Walden  
Chairman, Energy & Commerce Committee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Frank Pallone  
Ranking Member, Energy & Commerce Committee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Michael Burgess, MD  
Chairman, Energy & Commerce Health Subcommittee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Gene Green  
Ranking Member, Energy & Commerce Health Subcommittee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Kevin Brady  
Chairman, Ways & Means Committee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Richard Neal  
Ranking Member, Ways & Means Committee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Pat Tiberi  
Chairman, Ways & Means Health Subcommittee  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Sander Levin  
Ranking Member, Ways & Means Health Subcommittee  
U.S. House of Representatives  
Washington, DC 20515

Dear Committee Leaders:

In May, legislation (H.R. 2276) was reintroduced in the U.S. House of Representatives that would inappropriately provide audiologists with unlimited direct access to Medicare patients without a physician referral and amend Title XVIII of the Social Security Act to include audiologists in the definition of “physician.” **The undersigned groups strongly urge you to oppose H.R. 2276.**

As a legislator, we know you share a physician’s commitment to promoting patient safety and the highest quality healthcare. While audiologists are valued health professionals who work for and with physicians, they do not possess the medical training necessary to perform the same duties as physicians, nor are they able to provide patients with the medical diagnosis and treatment options they require. And, *most* audiologists practice in the same areas as MD/DO physicians. So, claims that expanding the services provided by audiologists will somehow mitigate projected MD/DO physician shortages are often unsubstantiated.

**Bypassing a physician evaluation and referral can lead to missed diagnoses and inappropriate treatment that could cause lasting, and expensive, harm to patients.** The Centers for Medicare and Medicaid Services (CMS) has maintained a position that physician referral is a “key means by which the Medicare program assures that beneficiaries are receiving medically necessary services, and avoids potential payment for asymptomatic screening tests that are not covered by Medicare ....”

Notwithstanding the patient safety concerns associated with direct access, the inclusion of audiologists in Medicare’s definition of “physician” will create confusion regarding the qualifications and training of various healthcare providers. And, broadening the term “physician” to include non-physician healthcare providers encroaches on the expert status achieved by MD/DO physicians. Audiologists are not physicians and should not be considered as such under the Medicare program.

For the above-stated reasons, **we respectfully urge you to oppose any efforts to advance H.R. 2276.** Thank you for your consideration, and please contact the American Academy of Otolaryngology—Head and Neck Surgery at [legfederal@entnet.org](mailto:legfederal@entnet.org) with any questions.

#### National Organizations

American Academy of Dermatology Association  
American Academy of Facial Plastic and Reconstructive Surgery  
American Academy of Neurology

American Academy of Ophthalmology  
American Academy of Otolaryngic Allergy  
American Academy of Otolaryngology—Head and Neck Surgery  
American Association of Child and Adolescent Psychiatry  
American Association of Neurological Surgeons  
American Association of Orthopaedic Surgeons  
American Broncho-Esophagological Association  
American College of Osteopathic Surgeons  
American College of Rheumatology  
American College of Surgeons  
American Laryngological Association  
American Medical Association  
American Neurotology Society  
American Osteopathic Association  
American Osteopathic Colleges of Ophthalmology and Otolaryngology—Head and Neck Surgery  
American Otological Society  
American Psychiatric Association  
American Rhinologic Society  
American Society of Anesthesiologists  
American Society of Breast Surgeons  
American Society of Cataract and Refractive Surgery  
American Society of Geriatric Otolaryngology  
American Society of Pediatric Otolaryngology  
American Society of Plastic Surgeons  
Association of Otolaryngology Administrators  
Congress of Neurological Surgeons  
National Association of Spine Specialists  
Renal Physicians Association  
Society for Cardiovascular Angiography and Interventions

**State and Local Medical Associations**

Arizona Medical Association  
Arkansas Medical Society  
California Medical Association  
Colorado Medical Society  
Connecticut State Medical Society  
Hawaii Medical Association  
Idaho Medical Association  
Illinois State Medical Society  
Indiana State Medical Association  
Iowa Academy of Otolaryngology  
Kansas Medical Society  
Kentucky Medical Association  
Louisiana State Medical Society  
Maine Medical Association  
Massachusetts Medical Society  
MedChi, The Maryland State Medical Society  
Medical Association of Georgia  
Medical Association of the State of Alabama  
Medical Society of Delaware  
Medical Society of the District of Columbia  
Medical Society of New Jersey  
Medical Society of the State of New York  
Medical Society of Virginia  
Michigan State Medical Society

Minnesota Medical Association  
Mississippi State Medical Association  
Missouri State Medical Association  
Montana Medical Association  
Nebraska Medical Association  
New Hampshire Medical Society  
New Mexico Medical Society  
North Carolina Medical Society  
North Dakota Medical Association  
Ohio State Medical Association  
Oklahoma State Medical Association  
Pennsylvania Medical Society  
South Carolina Medical Association  
South Dakota State Medical Association  
Tennessee Medical Association  
Texas Medical Association  
Utah Medical Association  
Vermont Medical Society  
Wisconsin Medical Society  
Wyoming Medical Society

**State and Local Specialty Societies**

Alabama Society of Otolaryngology—Head and Neck Surgery  
Arizona Academy of Otolaryngology—Head and Neck Surgery Society  
Arkansas Society of Otolaryngology—Head and Neck Surgery  
Buffalo Otolaryngology Society  
Central Indiana Otolaryngology Society  
Charleston ENT & Allergy  
Cincinnati ENT Society  
Colorado Ear Nose and Throat Society  
Connecticut State ENT Society  
Delaware Academy of Otolaryngology—Head and Neck Surgery  
Ear, Nose & Throat Associates of New York  
Eastern Connecticut Ear, Nose & Throat PC  
Emory Department of Otolaryngology—Head and Neck Surgery  
Florida Society of Facial Plastic and Reconstructive Surgeons  
Florida Society of Otolaryngology—Head and Neck Surgery  
Georgia Society of Otolaryngology—Head and Neck Surgery  
Greater Miami Otolaryngology Association  
Houston Society of Otolaryngology—Head and Neck Surgery  
Iowa Academy of Otolaryngology—Head and Neck Surgery  
Jacksonville Society of Otolaryngology—Head and Neck Surgery  
Kansas Society of Otolaryngology—Head and Neck Surgery  
Kentucky Otolaryngology Head and Neck Society  
Keystone Chapter of the American College of Surgeons  
Long Island Society of Otolaryngology—Head and Neck Surgery  
Louisiana Academy of Otolaryngology—Head and Neck Surgery  
Maine Society of Otolaryngology—Head and Neck Surgery  
Maryland Society of Otolaryngology—Head and Neck Surgery  
Massachusetts Society of Otolaryngology—Head and Neck Surgery  
Metro Atlanta Educational Society for Otolaryngology—Head and Neck Surgery  
Metropolitan Philadelphia Chapter of the American College of Surgeons  
Michigan Otolaryngological Society  
Minnesota Academy of Otolaryngology—Head and Neck Surgery  
Mississippi Society of Otolaryngology—Head and Neck

Missouri Society of Otolaryngology—Head and Neck Surgery  
Nebraska Academy of Otolaryngology—Head and Neck Surgery  
New Mexico Otolaryngological Society  
New York Laryngological Society  
New York Otologic Society  
New York State Society of Otolaryngology—Head and Neck Surgery  
North Carolina Society of Otolaryngology—Head and Neck Surgery  
Northwest Academy of Otolaryngology—Head and Neck Surgery  
Oklahoma Academy of Otolaryngology—Head and Neck Surgery  
Orange County Society of Head and Neck Surgery  
Pennsylvania Academy of Ophthalmology  
Pennsylvania Academy of Otolaryngology—Head and Neck Surgery  
Pennsylvania Psychiatric Society  
Pennsylvania Society of Gastroenterology  
San Antonio Society of Otolaryngology—Head and Neck Surgery  
San Diego Academy of Otolaryngology  
South Carolina Society of Otolaryngology—Head and Neck Surgery  
Tidewater Otolaryngology Association  
Vermont Otolaryngology Society  
Virginia Society of Otolaryngology—Head and Neck Surgery  
Washington Metropolitan Otolaryngology Society  
West Virginia Academy of Otolaryngology—Head and Neck Surgery  
Wisconsin Society of Otolaryngology—Head and Neck Surgery

Cc: U.S. House of Representatives