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The Honorable Raul Ruiz, MD
U.S. House of Representatives
2342 Rayburn House Office Building
Washington, DC 20515

The Honorable Phil Roe, MD
U.S. House of Representatives
102 Cannon House Office Building
Washington, DC 20515

Dear Representatives Ruiz and Roe:

On behalf of the physician and medical student members of the American Medical Association, I am writing to express our appreciation for the introduction of the “Protecting People from Surprise Medical Bills Act of 2019” and your considerable efforts to ensure that any solution to the problem of surprise medical bills includes a fair process to resolve disputes between insurers and physicians.

All involved parties are united in our desire to protect patients from unanticipated, out-of-network medical bills in cases where circumstances or their health insurance plan’s network left them no meaningful opportunity to select in-network physicians, including in emergencies or when receiving care from physicians not usually selected directly by patients like anesthesiologists, radiologists, pathologists, or on-call specialists.

We appreciate that you are committed to addressing this issue by taking a balanced and proven approach to reconciling differences between physician charges and plan payments, while at the same time protecting patients by removing them completely from the dispute.

As has been shown in New York, independent dispute resolution processes, whereby a neutral third party chooses between the physician’s charge or the plan’s initial payment amount, offers an efficient and fair process for resolving payment disputes, while at the same time incentivizing fair initial plan offers and discouraging physician bills that are outside of generally acceptable ranges. Resolution dispute systems should be structured with clear factors that an independent arbiter must consider when deciding, such as the complexity of the case, the experience of the physician, and the rate that physicians charge for that service in the geographic area based on an independent, non-conflicting database of commercial charges. The New York experience has shown no adverse impact on premiums. Furthermore, the cost is minimal, consumer complaints are greatly reduced, there has been no apparent bias in arbiter decisions for or against insurers or providers, and providers and payers have become more willing to reach agreements outside of the arbitration process. These efforts have been characterized as a success by all stakeholders. Again, we appreciate your efforts and look forward to continuing to work with you to protect patients from unanticipated medical bills and to fairly resolve disputes between payers and physicians.

Sincerely,

James L. Madara, MD