

November 30, 2020

The Honorable Mitch McConnell
Majority Leader
U.S. Senate

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives

The Honorable Chuck Schumer
Minority Leader
U.S. Senate

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi and Minority Leader McCarthy:

As you work on legislation to fund the government beyond December 11, 2020, and minimize the public health and economic consequences of the COVID-19 pandemic, we implore you to enact comprehensive surprise billing protections for patients.

A recent [Government Accountability Office report](#) highlights the market failure that has led to the egregious practice of surprise medical billing and the need for Congress to stop this practice without increasing premiums. [Data](#) also demonstrates the market failure has created a ripe environment for private equity firms to enter health care markets and exacerbate surprise billing at the expense of patients across America. While many surprise billing situations occur in emergency situations when patients are unable to confirm the network status of their providers, they also occur even when a patient has taken every possible caution to avoid out-of-network care. Recent [research published in the Annals of Internal Medicine](#) shows 12% of patients undergoing a colonoscopy from an in-network endoscopist at an in-network facility still received a surprise bill from an out-of-network anesthesiologist or pathologist. This is outrageous.

Although this Congress has debated surprise billing legislation for two years, it has failed to end the practice despite the great urgency amid the COVID crisis.

The American public, surveyed on election night, agree health care costs are too high. Surprise medical billing is a far-too-common example of outrageously high costs and consumers overwhelmingly want this problem fixed. Fortunately, [new research from the American Journal of Managed Care](#) shows addressing surprise billing could save Americans as much as \$212 per year in lower health care premiums. This demonstrates the win-win of enacting comprehensive surprise billing legislation that includes a median in-network benchmark payment – patients will not fear the likelihood of a surprise bill and could save hundreds of dollars in lower health care premiums.

As the COVID-19 pandemic continues, and more Americans are faced with urgent or immediate health concerns, the threat of surprise bills from out-of-network specialists, ambulances and private equity backed-providers will increase. A bicameral, bipartisan solution that will protect patients **and** lower health care costs is on the table. How many more studies will it take before Congress passes it? We urge you to listen to the American people and enact these protections that use a local, market-based payment for surprise medical bills.

Sincerely,

Alabama Employer Health Consortium

American Benefits Council

American Health Policy Institute

Business Group on Health

Central Penn Business Group on Health

Colorado Business Group on Health

Colorado Consumer Health Initiative

Connecticut Business Group on Health

Council for Affordable Health Coverage

DFW Business Group on Health

Economic Alliance for Michigan

Employers Forum of Indiana

Employers Health

Employers' Advanced Cooperative on Healthcare

Families USA Action

Florida Alliance for Healthcare Value

Georgians for a Healthy Future

Greater Philadelphia Business Coalition on Health

Health Access California

HealthCare 21 (Knoxville, TN)

Houston Business Coalition on Health

HR Policy Association

International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)

Kansas Business Group on Health

Kentuckiana Health Collaborative

Kentucky Voices for Health

Lehigh Valley Business Coalition on Healthcare (LVBCH)

Memphis Business Group on Health

Mid-Atlantic Business Group on Health

Midwest Business Group on Health

Missouri Health Care For All

MomsRising

Montana Association of Health Care Purchasers
National Alliance of Healthcare Purchaser Coalitions
National Association of Health Underwriters
National Association of Wholesaler-Distributors
National Consumers League
National Retail Federation
Nevada Business Group on Health
New Jersey Health Care Quality Institute
North Carolina Business Group on Health
Pacific Business Group on Health
Partnership for Employer-Sponsored Coverage
Pittsburgh Business Group on Health
Public Sector HealthCare Roundtable
Rhode Island Business Group on Health
Self-Insurance Institute of America
Silicon Valley Employers Forum
St. Louis Area Business Health Coalition
Tennessee Health Care Campaign
Texas Business Group on Health
The Alliance
The ERISA Industry Committee
The Leapfrog Group
The Society for Patient Centered Orthopedics
U.S. PIRG
UNITEHERE
Universal Health Care Action Network of Ohio
Voices for Progress
Washington Health Alliance
WellOK, The Northeastern Oklahoma Business Coalition on Health
Wyoming Business Coalition on Health
Young Invincibles