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February 10, 2020

The Honorable Robert C. "Bobby" Scott
Chairman, Committee on Education and Labor
U.S. House of Representatives
Washington, DC 20515

The Honorable Virginia Foxx
Ranking Member, Committee on Education and Labor
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Scott and Ranking Member Foxx:

On behalf of the members of the American Federation of State, County and Municipal Employees (AFSCME), I applaud the committee for its work on the bipartisan "Ban Surprise Billing Act." This legislation protects patients against most egregious punitive balance medical bills while keeping overall health care costs in check with use of a market-based benchmark payment rate. This rate setting mechanism is important because it is not inflationary and will not lead to hikes in premiums or out-of-pocket costs for working families.

"Surprise medical bills" are unexpected charges from an out-of-network provider above what the patient's health plan already paid that provider. Typically, these bills occur when a patient visits an out-of-network hospital for emergency care (for example, because of a car accident) or receives care from an out-of-network provider at an in-network hospital (for example, the pathologist who examines tissue from a biopsy). In both cases, the excessive out-of-network bills are unfair because the patient seeking care is not in control of who provides treatment in these situations.

We support the "Ban Surprise Billing Act" because it:

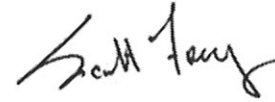
- Offers patients protection from balance billing in most situations, including unexpected bills for air ambulances.
- Includes a fair, market-based benchmark payment rate as the most efficient way to settle payment disputes while holding health care costs down for America's families.
- Sets a reasonable standard to protect patients vulnerable to surprise bills when they are admitted to a hospital from the emergency room and receive additional treatment.
- Lays a foundation for addressing surprise medical bills from ground emergency transportation.

American Federation of State, County and Municipal Employees, AFL-CIO

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We strongly urge you to reject any amendments that would weaken the use of a market-based benchmark payment rate or expand the use of arbitration as a means of setting payments for out-of-network providers.

Sincerely,

A handwritten signature in black ink that reads "Scott Frey". The signature is written in a cursive style with a large, sweeping "S" and a long, trailing "y".

Scott Frey
Director of Federal Government Affairs

cc: Members of the Committee on Education and Labor

SF/LB:cg