

AFL-CIO

LEGISLATIVE ALERT

August 1, 2019

United States House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of the AFL-CIO, I urge you to advance legislation to protect working families from surprise medical bills without increasing health care costs for all consumers. As the Education and Labor Committee considers legislation this fall, we urge you to support legislation that resembles the No Surprises Act, introduced by Representative Frank Pallone, and to reject proposals like the Protecting People from Surprise Medical Bills Act, drafted by Representatives Raul Ruiz and Phil Roe, that would allow the continuation of unjustifiable provider payments that drive up insurance premiums.

It is time for Congress to protect working families from surprise medical bills – charges that occur when a patient receives care from an out-of-network provider in a situation where they are unable to choose other providers, such as emergency care or urgent medical transport. Recent studies show that these surprise bills are common; many families experience substantial debt and even bankruptcy as a result of unreasonable charges for medical services.

Congress must act to protect the majority of individuals with employment-based health care coverage. While some states have enacted important protections from surprise medical bills, federal legislation is the only way to protect individuals enrolled in self-insured plans shielded from state laws under the Employee Retirement Income Security Act (ERISA).

We believe that protections against surprise bills should apply to all clinicians and services provided by in-network providers, out-of-network clinicians providing emergency services, emergency medical transportation services, and ancillary services provided in in-network settings. Importantly, Congress should consider adding protections that apply to air ambulance services, as charges for these services are often unreasonably high.

We urge you to oppose efforts to establish new provider payment mechanisms – such as arbitration processes – that may have an inflationary impact on provider payments and lead to higher insurance premiums for workers. We are particularly concerned about proposals that would allow an arbiter to consider billed charges or “usual and customary rates” in deciding what is a reasonable amount to reimburse a clinician. Such criteria will allow the continued imposition of reimbursement rates beyond what a health plan would pay an in-network provider – driving up payment rates and reducing the viability of provider networks that are an important tool for controlling health care costs without harming quality.

Thank you for your work on this crucial issue. We hope that you will support protections against surprise medical bills that will protect workers from high out-of-pocket costs and increasing insurance premiums.

Sincerely,

A handwritten signature in black ink, appearing to read "William Samuel".

William Samuel, Director
Government Affairs

American Federation of Labor and Congress of Industrial Organizations

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