



## Sound Policy. Quality Care.

June 3, 2021

The Honorable Pete Sessions  
2204 Rayburn House Office Building  
Washington, DC 20515

RE: *Medicare Patient Empowerment Act (H.R. 3322)*

Dear Representative Sessions and Senator Paul:

As the Alliance of Specialty Medicine (Alliance), our mission is to advocate for sound federal health care policy that fosters patient access to the highest quality specialty care. As patient and physician advocates, the Alliance commends reintroduction of your legislation, the *Medicare Patient Empowerment Act (H.R. 3322)* which would establish a Medicare payment option for patients and eligible professionals to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits.

Current law requires Medicare beneficiaries to pay out-of-pocket if they choose to see a physician that does not accept Medicare and Medicare will not cover any portion of the charges incurred. Further, physicians who choose to provide covered services to Medicare beneficiaries under private contracts must "opt out" of the Medicare program for two years. Medicare will not pay the physician for any covered services provided to Medicare beneficiaries during that time. Medicare beneficiaries—tax-paying Americans who have paid into the program for years—should not be prevented from using their Medicare benefits if they choose to see a physician that does not accept Medicare. These discriminatory policies are inappropriate and impede Medicare beneficiaries' freedom of choice.

Your legislation will help restore confidence in the Medicare program by ensuring beneficiary access to any physician they choose to see, regardless of the physician's participation status.

Sincerely,

American Academy of Facial Plastic & Reconstructive Surgery  
American Association of Neurological Surgeons  
American College of Osteopathic Surgeons  
American College of Mohs Surgery  
American Gastroenterological Association  
American Society for Dermatologic Surgery Association  
American Society of Cataract and Refractive Surgery  
American Society of Echocardiography  
American Society of Plastic Surgeons  
American Urological Association  
Coalition of State Rheumatology Organizations  
Congress of Neurological Surgeons  
National Association of Spine Specialists