

February 11, 2020

The Honorable Richard E. Neal
Chairman
Committee on Ways and Means
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Kevin Brady
Ranking Member
Committee on Ways and Means
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Suzan DelBene
U.S. House of Representatives
Washington, DC 205151

Dear Chairman Neal, Ranking Member Brady and Representative DelBene:

As the Washington State Hospital Association (WSHA), which represents Washington State's more than 100 community hospitals and the patients they serve, we are pleased to support H.R. 5826, the "Consumer Protections Against Surprise Medical Bills Act of 2020." In our view, your bill is the most effective approach to protect patients from surprise medical bills introduced to date.

It will hold patients harmless in emergency situations or when they cannot reasonably choose their provider and establishes a fair, appropriate process for reimbursing out-of-network providers for services they provide in in-network facilities. These objectives are closely aligned with WSHA's public policy goals and values.

We especially appreciate that H.R. 5826 establishes a framework for providers and insurers to negotiate rates for services provided by out-of-network providers. That process has historically been effective and is, in our view, the most appropriate method for establishing reimbursement rates. It enables providers and insurers to directly negotiate fair and appropriate reimbursement and minimizes the government's role in the process and reduces the risk that a federal legislative approach to reimbursing out-of-network providers could cause wider market distortions.

In the event providers and insurers don't agree on payment, H.R. 5826 also establishes a mediation process to resolve these disputes in a timely fashion.

In 2019, the Washington State Legislature enacted a measure that establishes an arbitration process for resolving these disputes. Given our state's extensive work on surprise billing, we appreciate that H.R. 5826 defers to state laws that meet the federal minimum for consumer protections and considers the interaction between federal and state laws.

We look forward to working with you as we continue to seek straightforward measures to help patients and allow them to focus on their medical care, and not on unanticipated bills. As always, please contact us if you would like additional information on this issue or related matters.

Thanks for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Cassie Sauer".

Cassie Sauer
President & Chief Executive Officer
Washington State Hospital Association