



August 21, 2014

The Honorable Rosa DeLauro
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Sherrod Brown
U.S. Senate
Washington, D.C. 20510

Dear Representative DeLauro and Senator Brown:

On behalf of the American College of Physicians (ACP), I am writing to express our views regarding the Medicare Advantage Participant Bill of Rights Act of 2014, H.R. 4998 and S. 2552. The legislation would prevent Medicare Advantage (MA) plans from terminating physicians from MA plan networks without sufficient notice or cause, facilitates increased transparency regarding network development and participation, as well as provides increased protections to both beneficiaries and healthcare professionals participating in these plans. ACP supports this legislation and appreciates your efforts in addressing these important issues.

The ACP is the largest medical specialty organization and the second-largest physician group in the United States. ACP members include 141,000 internal medicine physicians (internists), related subspecialists, and medical students committed to advancing the science and practice of medicine. Internal medicine physicians are specialists who apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness.

In 2013, a large MA plan dropped doctors from its network after open enrollment, leaving MA beneficiaries without sufficient notice that their doctor was no longer included in the MA plan they had chosen and unable to switch to an MA plan that did include their current doctor. The Medicare Advantage Participant Bill of Rights would prohibit MA plans from dropping physicians from a plan's network in the middle of the plan year unless there is sufficient cause to do so. Under the measure, MA plans would have to remove physicians from its network at least 60 days prior to the annual enrollment period so that MA beneficiaries have an accurate list of in-network doctors. Notification to individual MA participants of their doctor's removal from a plan network with appropriate information about how to contact in-network physicians would also be mandated. Lastly, the bill requires more disclosure of the MA plans' determination process for its networks as well as an update of Medicare's MA web-based comparison tool.

We appreciate your continued leadership on this important issue and will make every effort to help advance this necessary legislation. We stand ready to serve as a resource and welcome the opportunity to work with you going forward.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Fleming, MD, MA, FACP".

David A. Fleming, MD, MA, FACP
President