

December 11, 2019

The Honorable Nancy Pelosi,  
Speaker of the House  
The Honorable Kevin McCarthy,  
House Republican Leader  
U.S. House of Representatives  
Washington D.C. 20515

The Honorable Mitch McConnell,  
Senate Majority Leader  
The Honorable Chuck Schumer,  
Senate Minority Leader  
U.S. Senate  
Washington D.C. 20510

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer:

On behalf of the undersigned organizations, representing a diverse coalition of taxpayer, consumer, and free-market advocates, we write asking you to avoid forcing any surprise billing proposal that relies on government rate-setting into year-end legislation.

The recent deal reached by the Senate Health, Education, Labor, and Pensions (HELP) Committee and the House Energy and Commerce Committee continues to include a federal benchmark that will impact access to care and put federal bureaucrats in charge of important health care decisions. We believe that there are better, less intrusive solutions to this issue that protect patients but do not set prices for doctors and hospitals.

Price controls do not work. No matter the intentions of the policymakers who introduce them, all price controls do is distort markets and create scarcity. In the health care space, this has a direct impact on taxpayers who support federal and state health programs, and on patients with either public or private coverage. We believe a federal benchmark will have unintended negative consequences for both patients and taxpayers, and urge you to ensure that such a benchmark is excluded from year-end legislation.

There is time for Congress to address this issue when lawmakers return in 2020, in ways that do not allow government regulators to play a role in setting the price of health care. We hope you will pause on these rushed efforts to patch together a surprise billing framework at the last possible moment, and instead explore more market-oriented proposals, such as those that rely on price disclosure and private contractual agreements as a means to resolving payment disputes.<sup>1</sup> Doing so will better position Congress to tackle this issue in a way that protects patients without adversely impacting their care.

Sincerely,



National Taxpayers Union



60 Plus Association



Center for a Free Economy



Center for Freedom and Prosperity



Club for Growth



Consumer Action for a Strong Economy



Council for Citizens Against Government Waste



FreedomWorks

<sup>1</sup> Badger, Doug, and Blase, Brian. "A Targeted Approach to Surprise Medical Billing." Galen Institute, December 2018. Retrieved from: <http://bit.ly/2YNxx4J> (Accessed December 11, 2019); Hyman, David, and Ippolito, Benedic. "Comment." Cato Institute, Fall 2019. Retrieved from: <http://bit.ly/2rEjth> (Accessed December 11, 2019).



Frontiers of Freedom



Goldwater Institute



Heritage Action  
for America



Institute for Liberty



Less Government



The Market  
Institute



American Consumer  
Institute