



Physicians Caring for Texans

Right now, Congress is on August recess. That doesn't mean your senators and representative are outside playing on the swing set. It means they're home in Texas. It means now is the perfect time for them to hear from the physicians they represent.

It means now is the time you can buttonhole them to make sure they stop the surprise medical billing epidemic in a way that helps our patients – not the big insurance companies. Please [call, write, visit, or email](#) Sens. John Cornyn and Ted Cruz and your representative – or contact them via social media as soon as you can.

And remember, this is about much more than balance billing. If you take insurance, this affects you.

We all agree we need to take our patients “out of the middle” of out-of-network fee disputes between physicians and health plans. But the bills moving forward so far in the U.S. Senate – and, for the most part, in the House – use the power of the federal government to let the insurance companies determine exactly what they'll pay us for our services.

But there's a better way. A fairer way. A proven approach that also gets at the insurance company tactics that cause surprise bills in the first place. It's the Protecting People From Surprise Medical Bills Act, sponsored by Congressmen Raul Ruiz (D-Calif.) and Phil Roe, MD (R-Tenn.). And that's what we need to sell to Senators Cornyn and Cruz and your representative.

To learn all about the Ruiz-Roe Bill and its faulty competitors, see [TMA's Surprise Billing Congressional Handout](#) or the American Medical Association's [Surprise Billing Action Kit](#).

Do you know Senators Cornyn or Cruz or your representative personally? Call their cell phones or set up a meeting. Today. Or use the [TMA Grassroots Action Center](#) to quickly and easily share your message with them via email or Twitter. Today. Or see where they're holding [town hall meetings](#). Or call their district offices:

- **Sen. John Cornyn: (972) 239-1310**
- **Sen. Ted Cruz: (512) 916-5834**

Ask them to support the Ruiz-Roe bill and oppose any legislation based on the anti-free-market/anti-physician/anti-patient California model. We must take our patients out of the balance billing process, and the Ruiz-Roe bill is the right way to do it.

Together, we have an uncompromising and unconflicted regard for our patients' benefit and best interest. **Together, we can make this happen.**

Sincerely,

David C. Fleeger, MD
President
Texas Medical Association

TALKING POINTS

- I am a Texas physician writing to urge you to support the Protecting People From Surprise Medical Bills Act, sponsored by Congressmen Raul Ruiz and Phil Roe, MD, in the Energy and Commerce Committee.
- The Ruiz-Roe bill takes patients “out of the middle” of out-of-network fee disputes between physicians and health plans. And it uses an approach that’s proven to be effective and fair to patients, physicians, and insurance companies.
- Baseball-style arbitration such as the Ruiz-Roe bill uses is a fair, free-market-based method to determine payment for out-of-network services. Based on an independent market benchmark rate, an arbitrator determines what should be paid for the health care service rendered.
- The arbitration system has worked very well in New York since 2015. The arbitration results have shown a fair split between the two parties, which encourages more appropriate charges by physicians and providers, and more appropriate payments by insurance companies
- Any rate used in the arbitration process should be based only on commercial market rates to reflect the actual cost of care.
- I also ask you to oppose competing bills – like S. 1895 – that use the power of the federal government to let the plans determine exactly what they’ll pay us for our services.
- Government-set payment rates are anti-free market and a giveaway to insurance companies. Government payment rates in programs like Medicare and Medicaid are set arbitrarily and fall well below the actual cost of providing care. Government payment rates are unsustainable. Extending government price controls to out-of-network services further threatens the viability our practices and our patients’ access to the care they need.
- The insurance companies that create the narrow networks that cause balance bills must be held accountable for their inferior products. They must be held responsible for helping their enrollees navigate the in-network and out-of-network systems.
- Thank you for your consideration.