

September 16, 2014

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Nancy Pelosi
Democratic Leader
U.S. House of Representatives
Washington, DC 20515

Dear Speaker Boehner and Leader Pelosi:

On July 31, 2014, legislation (H.R. 5304) was introduced to inappropriately provide audiologists with unlimited direct access to Medicare patients without a physician referral and amend Title XVIII of the Social Security Act to include audiologists in the definition of “physician.” **The undersigned groups strongly urge you to oppose H.R. 5304.**

H.R. 5304 represents a recycled legislative initiative—with a twist. Many in the audiology community have long sought, with no success, the removal of physician referral requirements that would provide them with “direct access” to patients in the Medicare program. H.R. 5304 builds upon this concept of independence by also seeking a “limited license physician” status for audiologists.

Given the expansion of healthcare-related nomenclature, audiologists and many other non-physician providers with doctoral degrees can now call themselves “doctor.” Audiologists are not physicians and should not be considered as such under the Medicare program. Notwithstanding the patient safety concerns associated with direct access, the inclusion of audiologists in Medicare’s definition of “physician” will create confusion regarding the qualifications and training of various healthcare providers. And, broadening the term “physician” to include non-physician healthcare providers encroaches on the “expert” status achieved by MD/DO physicians.

We believe that a physician-led healthcare team with coordination of services is the best approach for providing the highest quality care to patients. We are not alone. The Centers for Medicare and Medicaid Services (CMS) declared that referrals from physicians are the “key means by which the Medicare program assures that beneficiaries are receiving medically necessary services, and avoids potential payment for asymptomatic screening tests that are not covered by Medicare” Bypassing a physician evaluation and referral can lead to a misdiagnosis and inappropriate treatment that could cause lasting, and expensive, harm to patients.

As a legislator, we know you share a physician’s commitment to promoting patient safety and the highest quality healthcare. While audiologists are valued health professionals who work for and with physicians, they do not possess the medical training necessary to perform the same duties as physicians, nor are they able to provide patients with the medical diagnosis and treatment options they require.

For the health and well-being of America’s seniors, we respectfully urge you to oppose any efforts to advance this ill-advised legislation. Thank you for your consideration, and please contact the American Academy of Otolaryngology—Head and Neck Surgery at legfederal@entnet.org with any questions.

Sincerely,

National Organizations

American Academy of Dermatology Association
American Academy of Facial Plastic and Reconstructive Surgery
American Academy of Family Physicians

American Academy of Neurology
American Academy of Ophthalmology
American Academy of Otolaryngic Allergy
American Academy of Otolaryngology—Head and Neck Surgery
American Academy of Sleep Medicine
American Association of Neurological Surgeons
American Association of Orthopaedic Surgeons
American College of Rheumatology
American College of Surgeons
American Medical Association
American Neurotology Society
American Osteopathic Association
American Osteopathic Colleges of Ophthalmology and Otolaryngology—Head and Neck Surgery
American Otological Society
American Psychiatric Association
American Society for Dermatologic Surgery Association
American Society of Anesthesiologists
American Society of Breast Surgeons
American Society of Cataract and Refractive Surgery
American Society of Pediatric Otolaryngology
American Society of Plastic Surgeons
Association of Otolaryngology Administrators
Congress of Neurological Surgeons
National Association of Spine Specialists

State and Local Medical Associations

Medical Association of the State of Alabama
Arkansas Medical Society
Colorado Medical Society
Connecticut State Medical Society
Hawaii Medical Association
Illinois State Medical Society
Idaho Medical Association
Iowa Medical Society
Kansas Medical Society
Louisiana State Medical Society
Massachusetts Medical Society
MedChi, The Maryland State Medical Society
Medical Association of Georgia
Medical Society of Delaware
Medical Society of New Jersey
Medical Society of the District of Columbia
Medical Society of the State of New York
Medical Society of Virginia
Minnesota Medical Association
Mississippi State Medical Association
Missouri State Medical Association
Montana Medical Association
Nebraska Medical Association
New Hampshire Medical Society
North Carolina Medical Society

North Dakota Medical Association
Ohio State Medical Association
Oklahoma State Medical Association
Pennsylvania Medical Society
Rhode Island Medical Society
South Dakota State Medical Association
Tennessee Medical Association
Texas Medical Association
Utah Medical Association
Vermont Medical society
Washington State Medical Association
West Virginia State Medical Association
Wisconsin Medical Society
Wyoming Medical Society

State and Local Specialty Societies

Alabama Society of Otolaryngology—Head and Neck Surgery
Arizona Society of Otolaryngology—Head and Neck Surgery
Arkansas Society of Otolaryngology—Head and Neck Surgery
California Otolaryngology Society
California Society of Facial Plastic Surgery
Central Indiana Otolaryngology Society
Connecticut State Ear, Nose and Throat Society
Delaware Academy of Otolaryngology—Head and Neck Surgery
Eastern Tennessee Otolaryngology Society
Florida Society of Facial Plastic and Reconstructive Surgery
Florida Society of Otolaryngology—Head and Neck Surgery
Greater Jacksonville ENT Society
Greater Miami Otolaryngology Association
Indiana Academy of Otolaryngology—Head and Neck Surgery
Iowa Academy of Otolaryngology—Head and Neck Surgery
Kansas Society of Otolaryngology—Head and Neck Surgery
Kentucky Society of Otolaryngology—Head and Neck Surgery
Long Island Society of Otolaryngology—Head and Neck Surgery
Louisiana Academy of Otolaryngology—Head and Neck Surgery
Massachusetts Society of Otolaryngology—Head and Neck Surgery
Metro Atlanta Society of Otolaryngology—Head and Neck Surgery
Michigan Otolaryngological Society
Minnesota Academy of Otolaryngology—Head and Neck Surgery
Mississippi Society of Otolaryngology—Head and Neck Surgery
Missouri Society of Otolaryngology—Head and Neck Surgery
Nebraska Academy of Otolaryngology—Head and Neck Surgery
New Jersey Academy of Otolaryngology—Head and Neck Surgery
New York Laryngological Society
New York Otologic Society
New York State Society of Otolaryngology—Head and Neck Surgery
North Carolina Society of Otolaryngology—Head and Neck Surgery
Northeastern Ohio Society of Otolaryngology—Head and Neck Surgery
Northwest Academy of Otolaryngology—Head and Neck Surgery
Oklahoma Academy of Otolaryngology—Head and Neck Surgery
Pennsylvania Academy of Otolaryngology—Head and Neck Surgery

Rhode Island Society of Otolaryngology—Head and Neck Surgery
San Diego Academy of Otolaryngology—Head and Neck Surgery
Santa Barbara Society of Otolaryngology—Head and Neck Surgery
South Carolina Society of Otolaryngology—Head and Neck Surgery
South Dakota Academy of Otolaryngology—Head and Neck Surgery
Texas Association of Otolaryngology—Head and Neck Surgery
Utah Society of Otolaryngology—Head and Neck Surgery
Vermont Otolaryngology Society
Virginia Society of Otolaryngology—Head and Neck Surgery
Washington Metropolitan Area Otolaryngology Society
West Virginia Academy of Otolaryngology—Head and Neck Surgery
Wisconsin Society Otolaryngology—Head and Neck Surgery
Wyoming Otolaryngology Society

Cc: U.S. House of Representatives