

## Private Practice Physical Therapists

*Small business professionals restoring function to America - one patient at a time.*

### ONE-TO-ONE MEDICARE OPT OUT

**RECOMMENDATION: PPS urges Congress to pass the *Medicare Patient Empowerment Act* (S.826/H.R.3322) which permits direct contracting between Medicare beneficiaries and qualified health care professionals.**

The *Medicare Patient Empowerment Act* modernizes the Medicare statute by allowing beneficiaries to use their Medicare coverage as they would any private health insurance policy. Under this bill, a Medicare beneficiary is allowed to enter into a contract with an eligible professional (regardless of whether a participating or non-participating physician or practitioner) for any item or service covered by Medicare.

Eligible professionals will include:

- physicians
- physician assistants
- nurse practitioners
- clinical nurse specialists
- certified registered nurse anesthetists
- certified nurse-midwives
- clinical social workers
- clinical psychologists
- physical therapists
- occupational therapists
- qualified speech-language pathologists
- qualified audiologists

The bill allows such beneficiaries to submit a claim to, and be reimbursed by, Medicare for the amount that would be paid if the professional were a participating practitioner.

We seek support for and passage for this patient-centered bill which requires a Medicare beneficiary to agree in writing in such a contract to: (1) pay the eligible professional for a Medicare-covered item or service; and (2) be responsible for submitting a claim for Medicare payment should they choose to do so. The bill allows a beneficiary to negotiate, as a term of the contract, for the eligible professional to file such claims on the beneficiary's behalf. Medicare balance billing limits would not apply to Medicare charges by the provider.

The Act prohibits entering into a contract at a time when the Medicare beneficiary is facing an emergency medical condition or urgent health care situation. It also preempts state laws from limiting the amount of charges for physician and practitioner services for which Medicare payment is made.

*Benefits of the Medicare Patient Empowerment Act:*

- Provides patients with greater choice of eligible professionals;
- Allows Medicare beneficiaries to contract with any provider at Medicare rates or at rates established between the patient and physician or practitioner.
- Allows providers to continue as a participating or non-participating Medicare provider with respect to any patient or service not covered under the contract.
- Empowers individual beneficiaries at no additional cost to the Medicare program. In fact, every time a patient opts to not bill Medicare, it SAVES the program money.

Please contact Zach Bennett ([zach\\_bennett@paul.senate.gov](mailto:zach_bennett@paul.senate.gov)) in Senator Rand Paul's office to cosponsor S.826 or Tyler Sawyer ([tyler.sawyer@mail.house.gov](mailto:tyler.sawyer@mail.house.gov)) in Rep. Pete Sessions' office to cosponsor H.R.3322.