

May XX, 2021

The Honorable Richard Neal  
Chairman  
U.S. House Ways and Means Committee  
2309 Rayburn House Office Building  
Washington, DC 20515

The Honorable Kevin Brady  
Ranking Member  
U.S. House Ways and Means Committee  
1011 Longworth House Office Building  
Washington, DC 20515

The Honorable Frank Pallone  
Chairman  
U.S. House Energy and Commerce Committee  
2107 Rayburn House Office Building  
Washington, DC 20515

The Honorable Cathy McMorris Rodgers  
Ranking Member  
U.S. House Energy and Commerce Committee  
1035 Longworth House Office Building  
Washington, DC 20515

Dear Committee Leaders,

On March 3, 2021, legislation (H.R. 1587) was introduced in the U.S. House of Representatives and referred to your Committees for consideration. H.R. 1587 would inappropriately provide audiologists with unlimited direct access to Medicare patients without a physician referral and amend Title XVIII of the Social Security Act to provide “practitioner” status for audiologists under the Medicare program. The undersigned groups **strongly urge you to oppose H.R. 1587.**

As Committee leaders and legislators, we appreciate your ongoing work to protect patient safety and provide quality healthcare for Medicare beneficiaries. Bypassing a physician evaluation and referral can lead to delayed or incorrect diagnoses resulting in failure to treat reversible causes of hearing loss or inappropriate treatment that could cause lasting harm and increased costs to patients. The Centers for Medicare and Medicaid Services (CMS) has maintained a position that physician referral is a “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...”

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 full spectrum of treatment options they require. Audiologists are not physicians and should not be treated as such under the Medicare program. A physician-led hearing healthcare team, with coordination of services, is the best approach for providing the highest quality care to patients.

With the FDA’s delayed release of regulations regarding the sale of over-the-counter hearing aids for mild to moderate hearing loss, this legislation has the potential to generate further confusion at a time when the established care continuum for hearing health is poised to change significantly for America’s seniors. The direct access created by H.R. 1587 will create dangerous patient safety concerns and overall ambiguity regarding the qualifications and training of various healthcare providers.

For the above-stated reasons, **we respectfully urge you to oppose any efforts to advance H.R. 1587.** Thank you for your consideration, and please contact the American Academy of Otolaryngology- Head and Neck Surgery at [govtaffairs@entnet.org](mailto:govtaffairs@entnet.org) with any questions.

Sincerely,