

TO: Members of the House Finance Committee  
DATE: May 5, 2020  
RE: Concerns with House Bill 388

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On behalf of the above organizations, we would like to state our concerns with House Bill 388 and to urge that this legislation should not be passed without certain changes to its provisions. When it comes to surprise billing, typically several specific medical specialties come to mind as those most related to the issue; however, our concerns with HB 388 are far-reaching across the spectrum of physician providers in Ohio. As the legislation is currently drafted, it poses a negative impact to all of us.

The physician community strongly supports efforts to remove surprise billing burden. We agree that our patients should not be stuck in the middle of payment disputes between providers and insurance companies and should not be saddled with exorbitant surprise medical bills after unknowingly receiving care from an out-of-network provider. We remain committed to working with the legislature and other interested parties to create a meaningful solution.

Any successful policy to address out-of-network or “surprise” billing must encourage contracting between the two parties. A true market-based solution protects patients while providing a fair means to settle any payment dispute and encouraging providers and plans to reach a settlement. A system in which insurers set the rates leaves little incentive for plans to contract with more providers, because they can opt to just continue paying significantly lower reimbursement rates for care delivery by capping the in-network reimbursement rate.

Again, although surprise billing represents only a small portion of medical billing, we believe that HB 388 has troubling negative implications for physicians of all specialties in the physician-insurer contracting process. Many of us are small or independent physicians and small business owners and removal of any of the small amount of leverage we have in the contracting process with large corporate insuring entities is extremely concerning to us. As written, HB 388 would risk fundamentally changing how this contracting functions in a way that we fear might only exacerbate problems for providers and patients.

As you have heard previously from some of our colleagues, it is absolutely possible for Ohio to enact a surprise billing solution which would give patients strong protections against surprise bills without threatening access to quality care by severely disrupting physician-insurer contracting. Our organizations strongly urge you to revise HB 388 in order to alleviate these concerns, creating a comprehensive, balanced, and fair system for all parties involved.

Thank you for your attention to and consideration of our concerns regarding this legislation. If you have any questions or would like to contact any of us directly, please feel free to reach out to Monica Hueckel at (614) 657-5177.



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Lisa Egbert, MD  
*Paragon Women's Care, Inc.*



**Hancock County Medical Society**  
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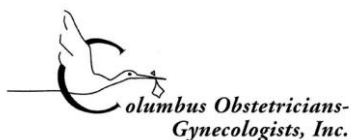
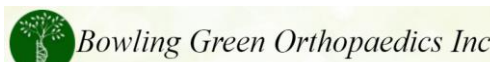
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