

UPDATE

neurosurgery

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Neurosurgeons Express Concerns with Senate HELP Committee’s Surprise Medical Bill Proposal *AANS and CNS urge committee leaders to make significant changes to the Lower Health Care Costs Act.*

Washington, DC—Today, the American Association of Neurological Surgeons (AANS) and the Congress of Neurological Surgeons (CNS) expressed significant concerns with the surprise medical bills provisions of the [Lower Health Care Costs Act](#) (S. 1895). Introduced by Senate Health, Education, Labor and Pensions (HELP) Committee leaders, Chairman **Lamar Alexander** (R-Tenn.), and ranking member **Patty Murray** (D-Wash.), this legislation would protect patients from unanticipated medical bills for out-of-network care that result from health plans with narrow and insufficient networks.

Unfortunately, because the proposal fails to adhere to organized neurosurgery’s [principles](#), the AANS and the CNS oppose the legislation in its current form. Instead, the AANS and the CNS are urging Congress to adopt legislation modeled after the approach taken by the State of New York, which has [proven](#) to protect patients, lower costs, create an incentive for commercial payers to broaden provider networks, and ensure fair and equitable payments to physicians for out-of-network care.

“We agree that patients should be held harmless and must not be financially penalized for receiving unanticipated care from an out-of-network provider,” said **Ann R. Stroink**, MD, FAANS, a practicing neurosurgeon from Bloomington, Illinois, and chair of the AANS/CNS Washington Committee.

Dr. Stroink continued, “However, an arbitrary government-dictated benchmark payment rate is unacceptable as it will not reflect actual market rates and will systematically undervalue physician services. There will be little incentive for plans to negotiate in good faith with physicians, which will likely increase the number of out-of-network providers, ultimately adversely affecting access to care.”

The AANS and the CNS are calling on the committee to make significant changes to the bill to reflect the New York law. At a minimum, the legislation must be amended to incorporate the general framework contained in the STOP Surprise Medical Bills Act ([S. 1531](#)). Although far from perfect, this bill — sponsored by HELP Committee members Sens. **Bill Cassidy**, MD, (R-La.), **Maggie Hassan** (D-N.H.) and **Lisa Murkowski** (R-Alaska) — is an improvement over the HELP committee draft since it includes an independent dispute resolution (IDR) process for resolving payment disputes between health plans and providers.

“The nation’s neurosurgeons are very concerned when patients receive unanticipated medical bills, particularly as Americans continue to struggle with rising health care costs. But Congress must strike the right balance to protect patients from unanticipated medical bills for out-of-network care, while at the same time facilitating a process to quickly, efficiently and fairly resolve physician and health plan billing disputes,” Dr. Stroink added.

She concluded, “The AANS and the CNS look forward to working with Congress and the Administration to advance bipartisan legislation that will protect patients, diminish the market dominance of health plans and help ensure that patients have timely access to the physician of their choice.”

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The American Association of Neurological Surgeons (AANS), founded in 1931, and the Congress of Neurological Surgeons (CNS), founded in 1951, are the two largest scientific and educational associations for neurosurgical professionals in the world. These groups represent over 8,000 neurosurgeons worldwide. Neurological surgery is the medical specialty concerned with the prevention, diagnosis, treatment and rehabilitation of disorders that affect the entire nervous system, including the spinal column, spinal cord, brain and peripheral nerves. For more information, please visit www.aans.org or www.cns.org, read our blog www.neurosurgeryblog.org, follow us on [Twitter](#) or connect with us on [Facebook](#).