



AMERICAN SOCIETY OF  
PLASTIC SURGEONS®



THE PLASTIC SURGERY  
FOUNDATION™

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April 28, 2015

The Honorable Tom Price  
100 Cannon House Office Building  
Washington, DC 20515

**RE: H.R.1650 – Medicare Patient Empowerment Act of 2015**

Dear Representative Price:

The American Society of Plastic Surgeons (ASPS) is the largest association of plastic surgeons in the world, representing more than 7,000 members and 94 percent of all American Board of Plastic Surgery board-certified plastic surgeons in the United States. ASPS promotes the highest quality care, professional and ethical standards. Our members provide highly skilled surgical services that improve both the functional capacity and quality of life of patients, including treatment of congenital deformities, burn injuries, traumatic injuries, hand conditions, and cancer.

The American Society of Plastic Surgeons strongly supports H.R.1650, the *Medicare Patient Empowerment Act of 2015* because it will revise the flawed private contracting law in place for Medicare beneficiaries and physicians. Currently, Medicare private contracting law mandates that a physician “opt-out” of Medicare for all patients for two years if he or she engages in private contracting with any beneficiaries for Medicare covered items and services. This severely limits the number of physicians available to Medicare beneficiaries, which is highly problematic for patients who need to see a specialist or live in rural communities. In addition, Medicare penalizes the patient for entering into a private contract by forcing them to pay out-of-pocket for otherwise covered Medicare services. This is an extremely harsh penalty for patients who are simply in search of the best care available, especially because those patients have made considerable contributions to ensure access to Medicare services.

ASPS appreciates the opportunity to provide comments on the *Medicare Patient Empowerment Act of 2015* and looks forward to working with you to advance this legislation. Please do not hesitate to contact Patrick Hermes, Senior Manager of Advocacy and Government Affairs, with any questions – [pthermes@plasticsurgery.org](mailto:pthermes@plasticsurgery.org) or (847) 228-3331.

Sincerely,

Scot B. Glasberg, MD  
President, American Society of Plastic Surgeons