

February 11, 2020

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
S-230, U.S. Capitol  
Washington, DC 20510

The Honorable Charles Schumer  
Minority Leader  
U.S. Senate  
322 Hart Senate Office Building  
Washington, DC 20510

The Honorable Chuck Grassley  
Chairman  
U.S. Senate Committee on Finance  
135 Hart Senate Office Building  
Washington, DC 20510

The Honorable Ron Wyden  
Ranking Member  
U.S. Senate Committee on Finance  
221 Dirksen Senate Office Building  
Washington, DC 20510

Dear Leaders,

We are writing in strong opposition to legislation (S. 2446) introduced in the U.S. Senate that 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 S. 2446.

Through your leadership in the United States Senate, we know you work tirelessly to protect patient safety and provide the highest quality healthcare for Medicare beneficiaries. 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 treatment options they require.

Bypassing a physician evaluation and referral can lead to missed diagnoses and inappropriate treatment that could cause lasting, and expensive, harm 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...”

Audiologists are not physicians and should not be treated as such under the Medicare program. With the FDA’s imminent release of regulations regarding the sale of over the counter hearing aids for mild to moderate hearing loss, the established care continuum for hearing health is poised to change significantly for America’s seniors. Notwithstanding the patient safety concerns associated with direct access, S. 2446 will create confusion regarding the qualifications and training of various healthcare providers.

For the above-stated reasons, we respectfully urge you to oppose any efforts to advance S. 2446. 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.

### **National Organizations**

Administrator Support Community for ENT  
American Academy of Dermatology Association  
American Academy of Facial Plastic and Reconstructive Surgery  
American Academy of Neurology  
American Academy of Otolaryngic Allergy  
American Academy of Otolaryngology- Head and Neck Surgery  
American Association of Child and Adolescent Psychiatry  
American Association of Neurological Surgeons  
American Academy of Orthopaedic Surgeons  
American College of Osteopathic Surgeons  
American College of Rheumatology  
American College of Surgeons  
American Laryngological Association  
American Medical Association  
American Neurotology Society  
American Osteopathic Association  
American Osteopathic Colleges of Ophthalmology and Otolaryngology- Head and Neck Surgery  
American Otological Society  
American Psychiatric Association  
American Rhinologic Society  
American Society of Anesthesiologists  
American Society of Breast Surgeons  
American Society of Geriatric Otolaryngology  
American Society of Pediatric Otolaryngology  
American Society of Plastic Surgeons  
Association of Academic Departments of Otolaryngology-Head and Neck Surgery  
Congress of Neurological Surgeons  
National Association of Spine Specialists  
Harry Barnes Society

### **State and Local Medical Associations**

Alaska State Medical Association  
Arizona Medical Association  
Arkansas Medical Society  
California Medical Association  
Colorado Medical Society  
Connecticut State Medical Society  
Florida Medical Association  
Hawaii Medical Association  
Indiana State Medical Association  
Kansas Medical Society  
Kentucky Medical Association  
Louisiana State Medical Society  
MedChi, Maryland State Medical Society  
Medical Society of Delaware

Medical Society of the District of Columbia  
Medical Association of Georgia  
Medical Association of the State of Alabama  
Medical Society of the State of New York  
Medical Society of Virginia  
Michigan State Medical Society  
Minnesota Medical Association  
Mississippi State Medical Association  
New Hampshire Medical Society  
New Mexico Medical Society  
North Dakota Medical Association  
Ohio State Medical Association  
Pennsylvania Medical Society  
South Carolina Medical Association  
South Dakota State Medical Association  
Tennessee Medical Association  
Texas Medical Association  
Utah Medical Association  
Vermont Medical Society  
Wyoming Medical Society  
Washington State Medical Association  
West Virginia State Medical Association

**State and Local Specialty Societies**

Alabama Society of Otolaryngology- Head and Neck Surgery  
Arizona Society of Otolaryngology - Head and Neck Surgery  
Arkansas Society of Otolaryngology- Head and Neck Surgery  
Buffalo Otolaryngology Society  
California Otolaryngology Society  
Charleston ENT and Allergy  
Chicago Laryngological and Otological Society  
Cincinnati ENT Society  
Colorado Ear Nose and Throat Society  
Connecticut ENT Society  
Delaware Academy of Otolaryngology- Head and Neck Surgery  
East Tennessee Otolaryngology Society  
Florida Society of Facial Plastic and Reconstructive Surgery  
Florida Society of Otolaryngology-Head and Neck Surgery  
Georgia Society of Otolaryngology- Head and Neck Surgery  
Greater Miami ENT Society  
Houston Society of Otolaryngology- Head and Neck Surgery  
Indiana Society of Otorhinolaryngology  
Iowa Academy of Otolaryngology- Head and Neck Surgery  
Kansas Society of Otolaryngology- Head and Neck Surgery  
Long Island Society of Otolaryngology  
Louisiana Academy of Otolaryngology- Head and Neck Surgery

Maine Ear, Nose and Throat Society  
Maryland Society of Otolaryngology  
Massachusetts Society of Otolaryngology- Head and Neck Surgery  
Memphis Society of Otolaryngology- Head and Neck Surgery  
Metro Atlanta Educational Society for Otolaryngology- Head & Neck Surgery  
Michigan Otolaryngological Society  
Minnesota Academy of Otolaryngology- Head and Neck Surgery  
Mississippi Society of Otolaryngology- Head and Neck Surgery  
Missouri Society of Otolaryngology- Head and Neck Surgery  
Nebraska Academy of Otolaryngology- Head and Neck Surgery  
New Mexico Society of Otolaryngology- Head and Neck Surgery  
New York Laryngological Society  
New York Otologic Society  
New York State Society of Otolaryngology- Head and Neck Surgery  
North Carolina Society of Otolaryngology – Head and Neck Surgery  
Northwest Academy of Otolaryngology- Head and Neck Surgery  
Orange County Society of Otolaryngology- Head and Neck Surgery  
Oregon Academy of Otolaryngology- Head and Neck Surgery  
Otolaryngology and Allergy Specialists- Integrated Solutions  
Pennsylvania Academy of Otolaryngology – Head and Neck Surgery  
Puerto Rico Society of Otolaryngology- Head and Neck Surgery  
San Diego Academy of Otolaryngology  
San Francisco Bay Area ENT Society  
Santa Barbara Otolaryngology Society  
South Carolina Society of Otolaryngology- Head and Neck Surgery  
South Carolina Ear Nose and Throat Allergy & Sleep Medicine  
Texas Association of Otolaryngology- Head and Neck Surgery  
Tidewater Otolaryngology Society  
Utah Society of Otolaryngology- Head and Neck Surgery  
Vermont Otolaryngology Society  
Virginia Society of Otolaryngology- Head and Neck Surgery  
Washington Metropolitan Otolaryngology- Head and Neck Surgery  
Wisconsin Society of Otolaryngology- Head and Neck Surgery

Cc: U.S. Senate