

September 16, 2014

The Honorable John Boehner  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Nancy Pelosi  
Democratic Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker Boehner and Leader Pelosi:

On July 31, 2014, legislation (H.R. 5304) was introduced to inappropriately provide audiologists with unlimited direct access to Medicare patients without a physician referral and amend Title XVIII of the Social Security Act to include audiologists in the definition of “physician.” **The undersigned groups strongly urge you to oppose H.R. 5304.**

H.R. 5304 represents a recycled legislative initiative—with a twist. Many in the audiology community have long sought, with no success, the removal of physician referral requirements that would provide them with “direct access” to patients in the Medicare program. H.R. 5304 builds upon this concept of independence by also seeking a “limited license physician” status for audiologists.

Given the expansion of healthcare-related nomenclature, audiologists and many other non-physician providers with doctoral degrees can now call themselves “doctor.” Audiologists are not physicians and should not be considered as such under the Medicare program. Notwithstanding the patient safety concerns associated with direct access, the inclusion of audiologists in Medicare’s definition of “physician” will create confusion regarding the qualifications and training of various healthcare providers. And, broadening the term “physician” to include non-physician healthcare providers encroaches on the “expert” status achieved by MD/DO physicians.

We believe that a physician-led healthcare team with coordination of services is the best approach for providing the highest quality care to patients. We are not alone. The Centers for Medicare and Medicaid Services (CMS) declared that referrals from physicians are the “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 . . . .” Bypassing a physician evaluation and referral can lead to a misdiagnosis and inappropriate treatment that could cause lasting, and expensive, harm to patients.

As a legislator, we know you share a physician’s commitment to promoting patient safety and the highest quality healthcare. 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.

**For the health and well-being of America’s seniors, we respectfully urge you to oppose any efforts to advance this ill-advised legislation.** Thank you for your consideration, and please contact the American Academy of Otolaryngology—Head and Neck Surgery at [legfederal@entnet.org](mailto:legfederal@entnet.org) with any questions.

Sincerely,

**National Organizations**

American Academy of Dermatology Association  
American Academy of Facial Plastic and Reconstructive Surgery  
American Academy of Family Physicians

American Academy of Neurology  
American Academy of Ophthalmology  
American Academy of Otolaryngic Allergy  
American Academy of Otolaryngology—Head and Neck Surgery  
American Academy of Sleep Medicine  
American Association of Neurological Surgeons  
American Association of Orthopaedic Surgeons  
American College of Rheumatology  
American College of Surgeons  
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 Society for Dermatologic Surgery Association  
American Society of Anesthesiologists  
American Society of Breast Surgeons  
American Society of Cataract and Refractive Surgery  
American Society of Pediatric Otolaryngology  
American Society of Plastic Surgeons  
Association of Otolaryngology Administrators  
Congress of Neurological Surgeons  
National Association of Spine Specialists

**State and Local Medical Associations**

Medical Association of the State of Alabama  
Arkansas Medical Society  
Colorado Medical Society  
Connecticut State Medical Society  
Hawaii Medical Association  
Illinois State Medical Society  
Idaho Medical Association  
Iowa Medical Society  
Kansas Medical Society  
Louisiana State Medical Society  
Massachusetts Medical Society  
MedChi, The Maryland State Medical Society  
Medical Association of Georgia  
Medical Society of Delaware  
Medical Society of New Jersey  
Medical Society of the District of Columbia  
Medical Society of the State of New York  
Medical Society of Virginia  
Minnesota Medical Association  
Mississippi State Medical Association  
Missouri State Medical Association  
Montana Medical Association  
Nebraska Medical Association  
New Hampshire Medical Society  
North Carolina Medical Society

North Dakota Medical Association  
Ohio State Medical Association  
Oklahoma State Medical Association  
Pennsylvania Medical Society  
Rhode Island Medical Society  
South Dakota State Medical Association  
Tennessee Medical Association  
Texas Medical Association  
Utah Medical Association  
Vermont Medical society  
Washington State Medical Association  
West Virginia State Medical Association  
Wisconsin Medical Society  
Wyoming Medical Society

**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  
California Otolaryngology Society  
California Society of Facial Plastic Surgery  
Central Indiana Otolaryngology Society  
Connecticut State Ear, Nose and Throat Society  
Delaware Academy of Otolaryngology—Head and Neck Surgery  
Eastern Tennessee Otolaryngology Society  
Florida Society of Facial Plastic and Reconstructive Surgery  
Florida Society of Otolaryngology—Head and Neck Surgery  
Greater Jacksonville ENT Society  
Greater Miami Otolaryngology Association  
Indiana Academy of Otolaryngology—Head and Neck Surgery  
Iowa Academy of Otolaryngology—Head and Neck Surgery  
Kansas Society of Otolaryngology—Head and Neck Surgery  
Kentucky Society of Otolaryngology—Head and Neck Surgery  
Long Island Society of Otolaryngology—Head and Neck Surgery  
Louisiana Academy of Otolaryngology—Head and Neck Surgery  
Massachusetts Society of Otolaryngology—Head and Neck Surgery  
Metro Atlanta Society of Otolaryngology—Head and 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 Jersey Academy 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  
Northeastern Ohio Society of Otolaryngology—Head and Neck Surgery  
Northwest Academy of Otolaryngology—Head and Neck Surgery  
Oklahoma Academy of Otolaryngology—Head and Neck Surgery  
Pennsylvania Academy of Otolaryngology—Head and Neck Surgery

Rhode Island Society of Otolaryngology—Head and Neck Surgery  
San Diego Academy of Otolaryngology—Head and Neck Surgery  
Santa Barbara Society of Otolaryngology—Head and Neck Surgery  
South Carolina Society of Otolaryngology—Head and Neck Surgery  
South Dakota Academy of Otolaryngology—Head and Neck Surgery  
Texas Association of Otolaryngology—Head and Neck Surgery  
Utah Society of Otolaryngology—Head and Neck Surgery  
Vermont Otolaryngology Society  
Virginia Society of Otolaryngology—Head and Neck Surgery  
Washington Metropolitan Area Otolaryngology Society  
West Virginia Academy of Otolaryngology—Head and Neck Surgery  
Wisconsin Society Otolaryngology—Head and Neck Surgery  
Wyoming Otolaryngology Society

Cc: U.S. House of Representatives