

December 19, 2017

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

The Honorable Chuck Schumer  
Minority Leader, U.S. Senate  
Washington, DC 20510

The Honorable Paul Ryan  
Speaker, U.S. House of Representatives  
Washington, DC 20515

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

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Ryan, and Minority Leader Pelosi:

The undersigned organizations share a commitment to advancing the health and economic security of older adults, people with disabilities, and their families. Together, we represent the 57+ million Americans who rely on Medicare. We need your commitment to pass the bipartisan Beneficiary Enrollment Notification and Eligibility Simplification (BENES) Act (S. 1909; HR 2575) by the year's end. This bi-partisan, bi-cameral legislation is urgently needed to improve Medicare Part B enrollment, and to modernize the now-outdated 1965 law to align with changes in the Social Security and Medicare Advantage laws. The legislation has widespread support from everyone from MA Plans to beneficiary advocacy groups, and needs your support now.

The basic rules underpinning the Part B enrollment system were developed more than 50 years ago, when Medicare was first established. The BENES Act offers long-overdue solutions to modernize and simplify Part B enrollment. Through bipartisan, low-cost reforms, the BENES Act shields people with Medicare from steep premium penalties and fills needless gaps in coverage.

Knowing whether and when to enroll in Part B requires that a person understand when to sign up during time-limited windows, how their other insurance will work with Medicare, and what penalties may result if enrollment is delayed. The consequences of missteps can be significant and include higher out-of-pocket costs, significant gaps in coverage, and lifetime penalties.

In 2014, 750,000 people with Medicare were paying a Part B Late Enrollment Penalty (LEP) with the average LEP amounting to nearly a 30% increase in a beneficiary's monthly premium.<sup>1</sup> In addition to this considerable penalty, many retirees and people with disabilities face large out-of-pocket health care costs, gaps in coverage, and barriers to care continuity because of honest enrollment mistakes.

The BENES Act significantly alleviates these challenges. It fills long-standing gaps in notice and education for those approaching Medicare eligibility and aligns and simplifies enrollment periods, bringing Part B rules in line with Medicare Advantage and Part D rules. Together, these changes will help prevent costly enrollment slipups among the 10,000 people becoming Medicare eligible each day. For these reasons, we strongly support the BENES Act, and we believe it should be a priority for Congress.

Far too many people with Medicare are irreversibly harmed due to a cumbersome and confusing Part B enrollment system. The BENES Act presents an important opportunity for members of Congress to advance

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<sup>1</sup> P. Davis, "Medicare: Part B Premiums," (Congressional Research Service: August 2016), available at: <https://fas.org/sgp/crs/misc/R40082.pdf>

commonsense, bipartisan, low-cost reforms that are in the best interest of the many millions of Americans who will soon come to rely on Medicare. Thank you.

Sincerely,

ACCSES  
Aetna  
AgeOptions  
Aging Life Care Association  
Alliance for Aging Research  
Alliance for Retired Americans  
AMDA – The Society for Post-Acute and Long-Term Care Medicine  
American Association on Health and Disability  
American College of Clinical Pharmacy (ACCP)  
American Federation of Government Employees (AFGE)  
American Foundation for the Blind  
American Geriatrics Society  
American Society on Aging  
Association of University Centers on Disabilities (AUCD)  
Austim Society of America  
B'nai B'rith International  
Better Medicare Alliance  
Blue Shield of California  
BlueCross BlueShield Association  
Brain Injury Association of America  
California Health Advocates  
Center for Independence of the Disabled  
Center for Medicare Advocacy, Inc.  
Community Catalyst  
Compassion & Choices  
Dialysis Patient Citizens  
Disability Rights Education and Defense Fund (DREDF)  
Disabled In Action of Metro NY  
Empire Justice Center  
Epilepsy Foundation  
Families USA  
Family & Children Association, Senior Services HIICAP  
Gerontological Society of America  
International Association for Indigenous Aging  
International Union, United Automobile, Aerospace & Agricultural Implement Workers of America  
The Jewish Federations of North America  
Justice in Aging  
Lakeshore Foundation  
LeadingAge  
Lutheran Services in America

MAXIMUS

Medicare Rights Center  
Metro New York Health Care for All  
National Academy of Elder Law Attorneys (NAELA)  
National Active and Retired Federal Employees Association (NARFE)  
National Adult Day Services Association (NADSA)  
National Adult Protective Services Association (NAPSA)  
National Association for Home Care & Hospice (NAHC)  
National Association of Area Agencies on Aging (n4a)  
National Association of Health Underwriters (NAHU)  
National Association of Nutrition and Aging Services Programs (NANASP)  
National Association of Social Workers (NASW)  
National Association of State Head Injury Administrators  
National Association of State Long-Term Care Ombudsman Programs (NASOP)  
National Coalition on Health Care (NCHC)  
National Committee to Preserve Social Security and Medicare  
National Consumer Voice for Quality Long-Term Care  
National Consumers League  
National Council on Aging (NCOA)  
National Partnership for Women & Families  
New York Legal Assistance Group  
New Yorkers for Accessible Health Coverage  
Partnership to Improve Patient Care (PIPC)  
Patient Advocate Foundation  
Service Employees International Union (SEIU)  
Smart Policy Works (formerly Health & Disability Advocates)  
Social Security Works  
Southern Tier Independence Center (STIC)  
The Arc of the United States  
The National Multiple Sclerosis Society  
Third Way  
UAW Retiree Medical Benefits Trust  
United Jewish Organizations of Williamsburg  
Women's Institute for a Secure Retirement (WISER)

CC: The Honorable Orrin Hatch, Chairman, Senate Committee on Finance  
The Honorable Ron Wyden, Ranking Member, Senate Committee on Finance  
The Honorable Greg Walden, Chairman, House Committee on Energy & Commerce  
The Honorable Frank Pallone, Ranking Member, House Committee on Energy & Commerce  
The Honorable Kevin Brady, Chairman, House Committee on Ways & Means  
The Honorable Richard Neal, Ranking Member, House Committee on Ways & Means