

July 11, 2024

The Honorable Bob Casey
Chairman, Senate Aging Committee
U.S. Senate
Washington, DC 20510

The Honorable Mike Braun
Ranking Member, Senate Aging Committee
U.S. Senate
Washington, DC 20510

Dear Chairman Casey and Ranking Member Braun,

Thank you for holding a hearing on health care price transparency, lowering costs, and empowering patients. As a nonprofit advocating for systemwide price transparency in healthcare, we believe that empowering consumers and employers with actual, upfront prices will create a functional, competitive market, protect patients from overcharges, and greatly reduce healthcare costs.

We strongly endorse the bipartisan [Senate Bill 3548](#), The Health Care PRICE Transparency Act 2.0, introduced by Senate Health Education Labor and Pensions (HELP) Committee member Senator Mike Braun and Committee Chairman Bernie Sanders. Earlier this year, 75 alliances, unions and employers from across the country, representing more than 21 million employees, also endorsed this bill in the attached letter sent to bipartisan Senate leadership.

The price transparency provisions in this bill will empower employers and unions like them to greatly reduce their health plan costs, improve their business competitiveness, and share savings with employees through higher wages and lower premiums. Currently, employers and unions nationwide are blocked from accessing and analyzing their own health claims data to identify overcharges and savings opportunities. Many [have had to sue](#) their own insurers and third-party administrators (TPAs) to gain access to their own data and fulfill their fiduciary duty.

The Health Care PRICE Transparency Act 2.0 will, among other priorities, empower self-insured employers and union health plans to access their claims data through access to a daily transaction data set. This data feed will act as a daily receipt of plan payments to providers, allowing employers to confirm that the claim amounts match both the payments by the TPA and the negotiated prices. It will enable employers and union health plans to identify and remedy overcharges and erroneous billing, allowing them to perform the critical oversight of their health plan spending. The bill also removes anti-audit and similar obstacles rampant in health plan administrator contracts, making it easier for employers to audit and oversee their plan receipts for payment.

This bill also requires transparency of all hospital pricing data including all negotiated rates and discounted cash prices—not estimates, averages, or percentages. This price disclosure will enable consumers to identify wide price variation, find lower priced care, and compare their plan's negotiated prices to those of other plans. The bill requires increased enforcement for noncompliant hospitals, at a time when only [34.5% of hospitals](#) reviewed are fully compliant and

the Centers for Medicare and Medicaid Services (CMS) has only penalized [fifteen hospitals](#) for noncompliance.

By building on the existing Transparency in Coverage (TiC) regulation, this bill strengthens consumer access to health plan pricing data with all billing and coding elements, helping employers protect their employees from overcharges and assess the value and performance of their health plan. Seeing systemwide prices across all plans will empower employers to negotiate higher quality, lower cost care, as is the case for every other aspect of supply chains.

Finally, the bill expands price disclosure requirements to laboratories, imaging centers, and ambulatory surgical centers, informing consumers of alternatives to high-priced hospital systems.

By bringing systemwide transparency and accountability to healthcare, this bill provides employers and unions with the necessary tools to lower our healthcare costs, with no added cost to the government. The significant savings can then be used to increase earnings and wages, ultimately improving competitiveness and stimulating the American economy.

Sincerely,



Cynthia Fisher
Founder & Chairman
PatientRightsAdvocate.org

CC: United States Senate