

July 9, 2020

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

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

The Honorable Richard Neal  
Chairman, Committee on Ways & Means  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Kevin Brady  
Ranking Member, Committee on Ways & Means  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Frank Pallone  
Chairman, Committee on Energy & Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Greg Walden  
Ranking Member, Committee on Energy & Commerce  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Grassley, Ranking Member Wyden, Chairman Neal, Ranking Member Brady, Chairman Pallone, and Ranking Member Walden:

As former Administrators of the Centers for Medicare & Medicaid Services/Health Care Financing Administration, Republicans and Democrats, we frequently disagree among ourselves about any number of issues. But we all agree on the importance of treating Medicare beneficiaries fairly, efficiently, and as helpfully as possible. That's why we have come together in support of the bipartisan Beneficiary Enrollment Notification and Eligibility Simplification (BENES) Act (S. 1280 and H.R. 2477).

Many of the problems addressed by the BENES Act did not exist when most of us were in the government, but the decoupling of eligibility ages for Medicare and full Social Security benefits, changing demographics, and a growing number of Americans working past the age of 65 have, together, substantially complicated the Medicare enrollment decision making process.

Signing up for Part B is not a straightforward task, particularly for the increasing share of Americans who are working longer and deferring Social Security. For these individuals, knowing how, when, and whether to enroll in Part B requires understanding complex and varied rules. Enrollment missteps are common and can carry significant consequences, including a lifetime of higher Part B premiums.

In 2018, an estimated 760,000 people with Medicare were paying a Part B Late Enrollment Penalty (LEP) and the average LEP amounted to nearly a 30 percent increase in a beneficiary's monthly premium.<sup>1</sup> In addition to this considerable financial burden, older adults and people with disabilities often face gaps in coverage, high out-of-pocket health care costs, and limited access to needed care because of honest enrollment mistakes.

The BENES Act would help prevent costly enrollment errors. As recommended by the Medicare Payment Advisory Commission (MedPAC) in its June 2019 report to Congress, the bill would provide enhanced notice and

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<sup>1</sup> Congressional Research Service. "Medicare: Part B Premiums" (April 4, 2019) available at: <https://crsreports.congress.gov/product/pdf/R/R40082>.

education for those approaching Medicare eligibility.<sup>2</sup> It would also align and simplify Medicare's enrollment periods, as well as update enrollment timelines to eliminate breaks in coverage. These changes would improve transitions to Medicare as well as beneficiary health and financial well-being. We encourage you to support the BENES Act.

Thank you.

Leonard D. Schaeffer  
Administrator  
Health Care Financing Administration  
1978 — 1980

Donald M. Berwick, MD  
Administrator  
Centers for Medicare & Medicaid Services  
2010 — 2011

William L. Roper, MD, MPH  
Administrator  
Health Care Financing Administration  
1986 — 1989

Marilyn B. Tavenner  
Administrator  
Centers for Medicare & Medicaid Services  
2011 — 2015

Gail R. Wilensky, Ph. D  
Administrator  
Health Care Financing Administration  
1990 — 1992

Andrew M. Slavitt  
Administrator  
Centers for Medicare & Medicaid Services  
2015 — 2017

Bruce C. Vladeck, Ph. D.  
Administrator  
Health Care Financing Administration  
1993 — 1997

Nancy-Ann DeParle  
Administrator  
Health Care Financing Administration  
1997 — 2000

Thomas M. Scully  
Administrator  
Centers for Medicare & Medicaid Services  
2001 — 2004

Mark McClellan, MD, Ph. D.  
Administrator  
Centers for Medicare & Medicaid Services  
2004 — 2006

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<sup>2</sup> Medicare Payment Advisory Commission. "Report to the Congress: Medicare and the Health Care Delivery System" (June 2019) available at: [http://www.medpac.gov/docs/default-source/reports/jun19\\_medpac\\_reporttocongress\\_sec.pdf?sfvrsn=0](http://www.medpac.gov/docs/default-source/reports/jun19_medpac_reporttocongress_sec.pdf?sfvrsn=0).