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July 14, 2016

The Honorable Bob Casey
393 Russell Senate Office Building
U.S. Senate
Washington, DC 20510

The Honorable Chuck Schumer
322 Hart Senate Office Building
U.S. Senate
Washington, DC 20510

Dear Senator Casey and Senator Schumer:

On behalf of the Medicare Rights Center (Medicare Rights), I am writing to applaud the introduction of the *Beneficiary Enrollment Notification and Eligibility Simplification (BENES) Act*. Medicare Rights is a national, nonprofit organization that works to ensure access to affordable health care for older adults and people with disabilities through counseling and advocacy, educational programs, and public policy initiatives. Our organization serves over two million Medicare beneficiaries, family caregivers, and professionals annually.

Making an informed decision about whether and when to enroll in Medicare Part B remains a complicated task for many Americans because it requires them to identify and understand a complex set of rules, along with their implications for their personal situations. The consequences of missteps can be significant and often lead to a lifetime of higher Part B premiums. In 2014, 750,000 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.¹ In addition to this considerable penalty, Medicare Rights regularly counsels retirees and people with disabilities who are facing significant out-of-pocket health care costs, gaps in coverage, and barriers to accessing needed services resulting solely from honest enrollment mistakes.

With 10,000 people becoming eligible for Medicare each day, it is imperative that Congress modernize the Part B enrollment system through enhanced notification, aligned and simplified enrollment periods, and updated relief processes. The BENES Act accomplishes each of these important goals through bipartisan solutions that will reap notable benefits for people with Medicare and their families.

¹ P. Davis, "Medicare: Part B Premiums," (Congressional Research Service: September 2015), available at: <https://www.fas.org/sgp/crs/misc/R40082.pdf>

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First and foremost, the bill fills long-standing education gaps by ensuring that individuals nearing Medicare receive a clear and detailed notice explaining Part B enrollment rules. In addition, the BENES Act brings Part B enrollment periods in line with those of private insurance products, including Medicare Advantage (MA) and Part D prescription drug plans. The bill also guarantees that people with Medicare will no longer go without needed care due to outdated enrollment and coverage start dates that lead to needless gaps in Part B coverage.

Finally, the bill reforms equitable relief, the only existing mechanism to correct a Part B enrollment mistake. Through the BENES Act, equitable relief is made more accessible to people who err in delaying or declining Part B. The bill standardizes this process and makes it more transparent, while also expanding options for individuals who were misinformed by a trusted source to secure relief from the Part B LEP and coverage delays.

Far too many people with Medicare are saddled with a lifetime of higher health care costs and go without needed services due to fragmented and archaic Part B enrollment processes. Thank you for advancing the long overdue reforms included in the BENES Act and for your commitment to promoting the health and economic well-being of people with Medicare. If you have questions, please contact Stacy Sanders, Federal Policy Director, at ssanders@medicarerights.org or 202-637-0961.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Baker". The signature is fluid and cursive, with a large loop at the end of the last name.

Joe Baker
President
Medicare Rights Center