



Irene Aguilar <ireneaguilar.md@gmail.com>

Oppose SB 259

8 messages

Jeffrey Scott Truell <jeffrey.truell@healthonecares.com>

Tue, Apr 14, 2015 at 10:40 AM

Reply-To: "Aristotle.LegislatorNotificationService" <jeffrey.truell@healthonecares.com>

To: Irene Aguilar <irene.aguilar.senate@state.co.us>

Irene Aguilar
Room 346
Denver CO 80203

Oppose SB 259

Dear Sen. Aguilar:

As a Colorado physician, and a practicing pathologist in the state, I am writing to urge your opposition to Senate Bill 259. Under provisions of the bill, an out-of-network pathologist must, in advance, inform a covered person of: 1) the fact that the pathologist is out-of-network; and 2) the amount or estimated amount the pathologist may bill the covered person. The legislation, as currently drafted, does not conform to medical standards of care that require a patient's pathology specimen, as a matter of medical necessity and urgency, be analyzed regardless of the patient's insurance status. Accordingly, this legislation, if enacted, would adversely impact the quality practice of pathology.

The medical necessity of pathology services during a medical procedure for a patient may not be known in advance by the pathologist. In addition, the inherent nature of pathology work makes it impossible to provide patients with a meaningful estimate of charges in advance of the service. In the case of anatomic pathology, involving the diagnosis of tissue specimens (i.e. biopsies), a pathologist cannot predict whether a biopsy of tissue may result from a surgical procedure or a screening procedure. The type of specimen or complexity of the analysis, including potential genetic analysis, is often not known in advance of the initial microscopic analysis conducted by the pathologist, making it impossible to provide a reliable estimate of charges or costs. In some case, specimens must be analyzed promptly to avoid degradation. Pathologists cannot defer anatomic pathology procedures based on insurance considerations, as this would potentially result in specimen degradation or delay in surgical action, especially while the patient is in surgery, thereby jeopardizing care and/or the accuracy of a diagnosis.

For these reasons, the legislation's procedural system, for advance notice to the patient and patient's consent in writing to out-of-network services, cannot be reasonable implemented without impeding the practice of medicine. Furthermore, the legislation confers inordinate economic power on the insurance carrier by keying out-of-network reimbursement to the payer's in-network payment rate. Notably, the bill fails to set forth any legal responsibility on the insurance carrier to establish and maintain insurance network adequacy that would minimize the enrollee's potential for out-of-network provision of services. For these many valid and compelling medical reasons, we urge your opposition to Senate Bill 259.

Sincerely,
Jeffrey Scott Truell
1250 S Vine St
Denver, CO 80210

Irene Aguilar <ireneaguilar.md@gmail.com>

Tue, Apr 14, 2015 at 10:59 AM

To: "Aristotle.LegislatorNotificationService" <jeffrey.truell@healthonecares.com>

The Office of Senator Irene Aguilar, M.D.
State Capitol, Room 337
(303) 866-4852
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Jeffrey.Truell@healthonecares.com <Jeffrey.Truell@healthonecares.com>
To: ireneaguilar.md@gmail.com

Tue, Apr 14, 2015 at 11:38 AM

I changed my mind. I didn't realize the scope of the bill, so I agree with you.

Jeff Truell

From: Irene Aguilar [mailto:ireneaguilar.md@gmail.com]
Sent: Tuesday, April 14, 2015 10:59 AM
To: Truell Jeffrey
Subject: [EXTERNAL] Re: Oppose SB 259

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