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June 15, 2007

Congressman Pete Stark
House of Representatives
Washington, D.C.

By e-mail

Dear Congressman Stark,

The Center for Medicare Advocacy is pleased to support the Medicare Truth in Advertising Act.

We continue to hear from Medicare beneficiaries about Medicare Advantage (MA) representatives who use misleading information or questionable sales tactics to encourage them to sign up for MA plans. For example, marketing agents have told beneficiaries that there is no premium for a plan, when in fact there is a substantial premium, or that certain physicians participate in the plan when they do not. MA representatives have also enrolled individuals with serious language barriers or cognitive impairments. They do not provide information to explain the concept of Medicare Advantage to the many beneficiaries who believe they are enrolling in a different kind of Medigap policy that simply provides dental and vision benefits.

Beneficiaries may first learn of their enrollment in an MA plan when a provider refuses to see them because the provider does not accept the terms and conditions of the MA plan. In other cases they may receive bills because they obtained medical care from providers who are out of the MA plan's network. Many individuals soon discover that their out-of-pocket expenses for services such as hospital, home health, skilled nursing facility care, or for durable medical equipment exceed cost-sharing under traditional Medicare.

The Medicare Truth in Advertising Act will protect beneficiaries against unscrupulous marketing practices and against Medicare Advantage plans that impose cost sharing in excess of traditional Medicare. We look forward to working with you to make sure these important protections are enacted into law.

Sincerely,

Judith A. Stein,
Executive Director

Vicki Gottlich,
Senior Policy Attorney