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Congress of the United States
House of Representatives
Washington, DC 20515-5400

March 22, 2020

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Chuck Schumer
Minority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi, and Minority Leader McCarthy:

As we focus our efforts in preventing the spread of the coronavirus with increased access to diagnostic testing and preventive measures, I ask that you consider making testing and prevention more accessible to Medicare beneficiaries in Puerto Rico by including H.R. 2310, the Fairness in Medicare Part B Enrollment Act, in the coronavirus response bill currently under consideration by Congress.

The Families First Coronavirus Response Act requires public and private insurance to provide coverage for COVID-19 diagnostic testing and related visits at no cost to the beneficiary. Similarly, the coronavirus response bill currently under consideration requires public and private insurance to provide coverage for COVID-19 preventive measures, such as vaccines, at no cost to the beneficiary.

For Medicare, diagnostic testing and vaccinations of COVID-19, as well as related physician visits are covered by Medicare Part B. Residents of Puerto Rico are required to opt into Medicare Part B when they turn 65, as opposed to residents of the States or of the District of Columbia who are automatically enrolled. Requiring the formal step of opting in makes sense since the Part B premium is expensive, it is not subsidized in Puerto Rico, and residents of Puerto Rico are ineligible for SS. However, many people do not sign up for Medicare Part B because they are unaware of the fact that they must take that affirmative step, or because they are unaware of the limited services covered by Medicare Part A which they receive automatically. When they realize the situation, it is usually too late to sign up without having to pay the lifetime penalty of 10% of the premium per each year that they were eligible but did not enroll.

The lack of an automatic Part B enrollment process in Puerto Rico has resulted in a disproportionate number of Medicare beneficiaries paying the lifetime late-enrollment penalty. According to the Centers for Medicare and Medicaid Services (CMS) there are currently 35,940 Medicare beneficiaries in Puerto Rico who are paying lifetime penalties of \$18,832,722 a year for enrolling late in Part B. According to CMS, there are 202,931 individuals in Puerto Rico who are currently enrolled in Part A only, not Part B. Many of those individuals, will be subject to a lifetime late-enrollment penalty if they do elect to enroll in Part B.

H.R. 2310 extends the initial enrollment period for residents of Puerto Rico to opt into Medicare Part B to five years. Because the enrollee would be responsible for the payment of the premium, the costs that this would entail should be limited to administrative costs of implementation.

By making Medicare Part B more accessible in this time of crisis, we could make its covered benefits more accessible to an elderly population which is not covered by our Medicaid state plan and that could be severely affected by the coronavirus.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer González-Colón". The signature is stylized and cursive.

Jennifer González-Colón
Member of Congress