

May 3, 2010

The Honorable Christopher Dodd  
Chairman, Senate Committee on Banking, Housing & Urban Affairs  
United States Senate  
448 Russell Senate Office Building  
Washington, DC 20510

Dear Mr. Chairman:

The health care organizations listed below write to express our concerns with subparagraphs (B) and (C) of section 1027(a) (2) of S. 3217, the “Restoring American Financial Stability Act of 2010.”

Though the provisions are intended to clarify the limitations and exclusions of the bill, we believe they actually raise more questions as they may be interpreted as applying to health care practitioners who regularly charge interest and allow patients to pay in installments (subparagraph B). In addition, we remain concerned that the term “engaged significantly” in subparagraph (C) is not defined and could lead rulemakers to include those providers who utilize those payment options for the benefit of their patients.

Given the scope and reach of the bill’s language, health care practitioners would, we believe, be covered by the legislation leading to unnecessary costs and increased administrative burdens for practitioners without any benefit for our patients.

While we recognize and thank you for including committee report language that speaks to this issue, specifically mentioning a health care provider group (dentists) as not intended to be covered; ultimately the report language falls short of ensuring that all health care providers will be exempt from the law.

We welcome the opportunity to work with you and your staff to clarify the bill language with respect to health care providers. If you have any further questions, please contact Michael Graham of the American Dental Association at 202-789-5167.

Sincerely,

Academy of General Dentistry  
American Academy of Dermatology  
Association  
American Academy of Ophthalmology  
American Academy of Oral & Maxillofacial  
Pathology  
American Academy of Otolaryngology-  
Head and Neck Surgery  
American Academy of Pediatric Dentistry  
American Academy of Periodontology  
American Association of Endodontists  
American Association of Neurological  
Surgeons  
American Association of Oral &  
Maxillofacial Surgeons

American Association of Orthodontists  
American College of Emergency Physicians  
American College of Prosthodontists  
American College of Surgeons  
American Dental Association  
American Medical Association  
American Osteopathic Association  
American Physical Therapy Association  
American Podiatric Medical Association  
American Society of Cataract and Refractive  
Surgery  
American Society of Plastic Surgeons  
Hispanic Dental Association  
Medical Group Management Association

MAG:klp

cc: The Honorable Barney Frank  
The Honorable Spencer Bachus  
The Honorable Richard Shelby