

October 9, 2020

The Honorable Michael Burgess, MD
2161 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bobby Rush
2188 Rayburn House Office Building
Washington, D.C. 20515

Dear Representatives Burgess and Rush:

On behalf of the undersigned organizations, thank you for your leadership in introducing H.R. 8505, a bill to prevent pending Medicare payment cuts by waiving the budget neutrality requirements stipulated in Section 1848(c)(2) of the Social Security Act for the finalized evaluation and management (E/M) code proposal slated for implementation on January 1, 2021. This important legislation will provide a critical reprieve for a broad scope of physician and non-physician health care providers facing substantial payment reductions in the coming months.

As you are aware, the Centers for Medicare & Medicaid Services' (CMS) final Medicare Physician Fee Schedule (MPFS) rule for CY 2020 included broad changes to reduce administrative burden, improve payment rates, and reflect current clinical practice, especially as it relates to E/M services. Our organizations appreciate CMS' commitment to these issues and support a purposeful approach to restructuring and revaluing the office-based E/M codes. However, we are deeply concerned that adhering to existing budget neutrality requirements for implementing the new policy will generate sizable cuts for various sections of the provider community; cuts that will restrict access to the many essential health care services our members provide to Medicare beneficiaries.

Given the ongoing COVID-19 pandemic, it is more important than ever to halt the implementation of any payment reductions that will further exacerbate the financial instability of health care provider practices. Over the last several months, nearly 200 members of the House of Representatives have indicated their support for mitigating the forthcoming payment cuts. With the calendar waning, we urge continued collaboration with your House colleagues and leadership to advance H.R. 8505, or another identified legislative remedy, in the next available legislative package. Again, thank you for your leadership in introducing legislation to prevent the forthcoming payment reductions generated by the budget neutrality requirements. We look forward to working with you to advance a viable legislative solution before the end of the year. If you have any questions, please contact Cynthia Moran (ACR, cmoran@acr.org), Katie Orrico (AANS, korrico@neurosurgery.org) or Justin Elliott (APTA, justinelliott@apta.org).

Sincerely,

Alliance for Physical Therapy Quality and Innovation
American Academy of Audiology
American Academy of Dermatology Association
American Academy of Facial Plastic and Reconstructive Surgery
American Academy of Ophthalmology
American Association of Neurological Surgeons

American Association of Oral and Maxillofacial Surgeons
American Association of Orthopaedic Surgeons
American Chiropractic Association
American College of Emergency Physicians
American College of Gastroenterology
American College of Mohs Surgery
American College of Obstetricians and Gynecologists
American College of Osteopathic Surgeons
American College of Radiation Oncology
American College of Radiology
American College of Surgeons
American Gastroenterological Association
American Health Care Association
American Medical Association
American Occupational Therapy Association
American Physical Therapy Association
American Podiatric Medical Association
American Psychological Association
American Society for Dermatologic Surgery Association
American Society for Radiation Oncology
American Society for Gastrointestinal Endoscopy
American Society of Anesthesiologists
American Society of Cataract and Refractive Surgery
American Society of Colon and Rectal Surgeons
American Society of Neuroradiology
American Society of Nuclear Cardiology
American Society of Plastic Surgeons
American Speech-Language-Hearing Association
American Urogynecologic Society
American Urological Association
Association for Quality Imaging
Association of Black Cardiologists
Association of Pathology Chairs
CardioVascular Coalition
Clinical Social Work Association
College of American Pathologists
Congress of Neurological Surgeons
Dialysis Vascular Access Coalition
Digestive Health Physicians Association
Medical Group Management Association
National Association for the Support of Long Term Care
National Association of Rehabilitation Providers and Agencies
National Association of Social Workers
National Association of Spine Specialists
National Center for Assisted Living
Private Practice Section of the American Physical Therapy Association
Radiology Business Management Association

Select Medical
Society for Cardiovascular Angiography and Interventions
Society for Vascular Surgery
Society of American Gastrointestinal and Endoscopic Surgeons
Society of Gynecologic Oncology
Society of Interventional Radiology
The Society of Thoracic Surgeons
United Specialists for Patient Access

cc: The Honorable Nancy Pelosi
The Honorable Kevin McCarthy
The Honorable Frank Pallone
The Honorable Greg Walden