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November 30, 2020

VIA ELECTRONIC SUBMISSION

Representative Michael Burgess
2161 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

Representative Bobby Rush
2188 Rayburn House Office Building
United States House of Representatives
Washington, D.C. 20515

Dear Representatives Burgess and Rush:

On behalf of the American College of Osteopathic Family Physicians (ACOFP), I am writing to express our support of H.R. 8505, which would waive for one year the budget neutrality adjustment under the Medicare Physician Fee Schedule (PFS). ACOFP believes your legislation will help protect patient access to health care services while supporting family physicians.

ACOFP is the professional organization representing more than 18,000 practicing osteopathic family physicians, residents and students throughout the United States who are deeply committed to delivering high-quality primary care services in communities across the country. We firmly believe that primary care can improve health outcomes and drive down system-wide costs while improving quality of life. We appreciate federal efforts to support primary care and family physicians, including the revaluation of evaluation and management (E/M) codes in the CY 2021 PFS proposed rule.

As you know, the CY 2021 PFS proposed rule would increase the value of services predominantly furnished by primary care providers. This prioritization of primary care services by the Centers for Medicare & Medicaid Services (CMS) is long overdue. However, the agency must follow strict statutory budget neutrality requirements to offset the increased federal spending resulting from these E/M code revaluations by reducing PFS reimbursement across the board. While all physician specialties would be adversely impacted by this budget neutrality adjustment, it is our understanding that a number of physician specialties would experience up to an 11 percent reduction in PFS reimbursement from Medicare. Reductions in Medicare reimbursement would further exacerbate financial pressures that providers are facing during the COVID-19 pandemic. As the country is entering a new COVID-19 surge, providers must have the resources to continue to maintain access to care to patients.

H.R. 8505 would temporarily waive the budget neutrality requirements for one year, which would help providers maintain necessary resources through the worst parts of the pandemic. Furthermore, the bill would provide an offset for costs associated with waiving the budget neutrality adjustment for one year by reallocating \$10 billion from the Provider Relief Fund (PRF). This would strike an appropriate balance to help ensure patients have access to care while maintaining the E/M revaluations proposed in the CY 2021 PFS proposed rule. We believe this is an appropriate and fiscally responsible approach to supporting all providers during the COVID-19 pandemic while, at the same time, ensuring that primary care services are prioritized through greater reimbursement.

We also note that using the PRF to directly support physician practices will correct one of the major disparities in how those funds have been distributed. In general, PRF payments have been allocated based on two percent of the recipient's patient care revenue. This has rightfully skewed larger portions of the funding to hospitals, many of which have absorbed the brunt of COVID-19 cases. However, this methodology has not sufficiently supported solo, small, and rural physician practices, many of which are ACOFP members. Therefore, ACOFP supports reallocating PRF dollars, which generally have not supported ACOFP's members in a meaningful way, to protecting all physician practices from the impending budget neutrality adjustment.

Thank you for your continued efforts to support providers and patients. We hope the legislation is advanced through Congress and enacted quickly. Should you need any additional information or if you have any questions, please feel free to contact ACOFP at advocacy@acofp.org or (847) 952-5100.

Sincerely,

A handwritten signature in black ink that reads "Nicole H. Bixler, DO, FACFP". The signature is written in a cursive style.

Nicole H. Bixler, DO, MBA, FACFP
ACOFP President