



Feb. 9, 2024: National Advocacy Update



Congress introduces the Dr. Lorna Breen Health Care Provider Protection Reauthorization Act

On Jan. 30, a bipartisan bicameral group of U.S. Senators and Representatives introduced legislation to reauthorize the Dr. Lorna Breen Health Care Provider Protection Act that was originally signed in to law on March 18, 2022.

The original legislation was named in honor of Dr. Lorna Breen, a physician from Charlottesville, Virginia who, due to the stress and trauma of serving on the frontlines caring for COVID-19 patients in New York City during the height of the pandemic, died by suicide in April 2020.

Senators Tim Kaine (D-VA) and Todd Young (R-IN), and Representatives Jen Kiggans (R-VA-3), Susan Wild (D-PA-7), Buddy Carter (R-GA-1) and Debbie Dingell (D-MI-6) introduced the legislation that would reauthorize the 2022 legislation. The law has already provided \$100 million in funding for mental health care for providers across the country. Provisions of the original law are set to expire at the end of this year, making the Dr. Lorna Breen Health Care Provider Protection Reauthorization Act (S. 3679/H.R. 7153) vital to continuing this good work for an additional five years.

“The Dr. Lorna Breen Health Care Provider Protection Act in 2022 was a great first step in addressing physician burnout, and reauthorizing this important legislation is an AMA priority,” said AMA President Jesse M. Ehrenfeld, MD, MPH. “Physician burnout is an epidemic exacerbated by the COVID-19 pandemic, which made the original legislation so timely. We commend Sens. Kaine and Young and Reps. Kiggans, Dingell, Carter, and Wild for honoring Dr. Breen’s legacy by introducing this legislation that will put continued emphasis on the mental health needs of physicians.”

The AMA applauds the introduction of this important legislation.

AMA expresses strong support for enhanced oversight of state Medicaid unwinding data

On Jan. 31, the AMA weighed in with comments (PDF) to an interim final rule regarding enforcement of state reporting requirements for Medicaid unwinding data, which states must submit monthly. The letter emphasized the AMA’s strong support for policies to maintain and expand Medicaid access to all



eligible participants including strong measurement, monitoring and accountability measures. Accordingly, the AMA expressed strong support for many of the enforcement provisions included in the rule and agreed they will help to promote state compliance with federal requirements and continuity of Medicaid coverage.

The AMA expressed specific support for the “progressive and proportional nature” of the penalties for noncompliance, including the use of corrective action plans and consideration of mitigating circumstances. The AMA supported financial penalties as a means of enforcement should others not work, but urged the agency to consider and closely monitor for potential adverse impacts on coverage and access to care. The AMA closed by reiterating previous calls to require states to report more detailed data so the Centers for Medicare & Medicaid Services can evaluate the impact on certain subpopulations such as pregnant/postpartum women and individuals with disabilities, and to permanently extend flexibilities and waivers for “ex parte” renewals, a process that automatically uses available data to substantiate eligibility rather than requiring individuals to separately submit duplicative information to the state.

TEFCA planning for implementation of facilitated FHIR exchange

The Sequoia Project in its capacity as the Trusted Exchange Framework and Common Agreement (TEFCA) Recognized Coordinating Entity (RCE) released several new documents to support greater interoperability and data exchange over the TEFCA Network. A draft Common Agreement Version 2 and draft Qualified Health Information Network (QHIN) Technical Framework 2 include many of the technical details about how the voluntary TEFCA Network is intended to facilitate greater interoperability for physicians and the rest of the health care system.

Also included is the Health Level Seven (HL7®) Fast Healthcare Interoperability Resources® (FHIR) Roadmap for TEFCA Exchange Version 2 (PDF) that discusses how TEFCA will evolve to use this modern approach to standards and interoperability and has already gained wide support in the U.S. As a reminder, FHIR application programming interfaces (APIs) are used to deliver more streamlined data exchange processes and QHINs will provide the network infrastructure to support FHIR exchange between TEFCA participants and subparticipants from different QHINs.

In Dec. 2023, the RCE recognized five QHINs to begin operating to support data exchange through TEFCA: eHealth Exchange, Epic Nexus, Health Gorilla, KONZA and MedAllies.

What to look out for at the AMA National Advocacy Conference



Physician advocates will head to Capitol Hill next week for the AMA National Advocacy Conference—Feb. 12-14 at the Grand Hyatt Washington—making their voices heard on important health care issues facing the nation’s physicians and patients.

The AMA has created an action kit (PDF) for physicians to use as they meet with their members of Congress. With access to care within the Medicare program at risk and physicians facing another round of Medicare pay cuts, reversing the 3.37% Medicare physician payment cuts (PDF) that took effect at the start of the year and enacting broader Medicare physician payment reforms (PDF) are top priorities. Additional advocacy priorities include support for:

- Legislation (PDF) to increase graduate medical education training slots and address the growing physician workforce shortage.
- The No Fees for EFTs Act (PDF), which would bar health plans and vendors from charging physicians unnecessary fees for electronic fund transfer (EFT) payment transactions.
- The Connected MOM Act (PDF), which would make a meaningful difference in addressing the unacceptably high rate of maternal mortality in the U.S., especially for women from marginalized populations.

View the complete agenda for the complete list of sessions and speakers planned for the meeting. Speakers from Congress and the administration will include:

- The Honorable Chiquita Brooks-LaSure, administrator, Centers for Medicare & Medicaid Services
- The Honorable Vern Buchanan (R-FL), United States Representative
- The Honorable Larry Bucshon, MD (R-IN), United States Representative
- Mandy K. Cohen, MD, MPH, director, Centers for Disease Control and Prevention
- The Honorable Robin Kelly (D-IL), United States Representative
- The Honorable Lina M. Khan, chair, Federal Trade Commission
- The Honorable Richard Neal (D-MA), United States Representative

Updated issue brief on payment and delivery in rural hospitals

A recent report of the AMA Council on Medical Service established new AMA policy highlighting the ongoing importance of payment to rural hospitals. Lawmakers in rural states are concerned about access and safety. As a result, an updated advocacy issue brief on this topic provides background information and new advocacy positions based on the new AMA policy. Find out more about the updated issue brief (PDF).



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