June 5, 2020: Advocacy spotlight on Calling for additional relief for physician practices and Medicaid in the COVID-4 bill

Calling for additional relief for physician practices and Medicaid in the COVID-4 bill

As the country continues to grapple with the COVID-19 pandemic, the House has taken the first step by passing its version of "phase four" coronavirus relief legislation. Now it is the Senate’s turn and they are expected to introduce their plan in the coming weeks.

As Senators consider how they will approach a coronavirus relief bill package to confront this emergency of extraordinary—and yet, unknown—proportions, the AMA strongly urges they take critical steps to protect patient access to care by preserving the viability of physician practices as part of the nation’s essential health care system.

"Physician practices continue to struggle to meet the needs of their patients and staff as they confront revenue shortages from deferred patient visits and procedures as part of the system-wide effort to conserve personal protective equipment (PPE) and support the physical distancing that is necessary to curb community spread of COVID-19," AMA CEO and Executive Vice President James L. Madara, MD, wrote in a letter to Senate leaders. That letter emphasized the need for increased financial support and improved distribution of HHS provider emergency funds for Medicaid-dependent practices, addressing the challenge of access to PPE for community practices, increased federal funding for Medicaid, and targeted COVID-19 related liability relief.

More broadly, the AMA also has been advocating for:

- Continued expansion of and added flexibility for Medicare accelerated and advanced payments to give physicians greater ability to deal with the current crisis
- Addressing Medicare and Medicaid payment policies to account for the lack of positive updates to further assist America’s doctors caring for patients during the pandemic
- Continued support for the expansion of telehealth by requiring Employee Retirement Income Security Act of 1974 (ERISA) group health plans to provide the same telehealth services being covered by Medicare
Increased support for resident physicians and students through federal loan forgiveness and tuition relief, including third- and fourth-year medical students

With respect to liability relief, the AMA has noted that physicians and other clinicians who treat COVID-19 patients are doing so under unprecedented conditions. Lawsuits may come months or even years after the current ordeal is over. These may stem from situations beyond physicians' control such as:

- The suspension of most elective in-person visits
- The need for physicians to provide care outside their general practice areas for which they may not have the most up-to-date knowledge
- Inadequate supplies of safety equipment that could result in the transmission of the virus from patient to physician and then to additional patients, or directly from one patient to another
- Shortages of equipment, such as ventilators, that can force facilities and physicians to ration care
- Inadequate testing

Bipartisan legislation on this issue, the Coronavirus Provider Protection Act (H.R. 7059), has been introduced in the House by California Democrat Lou Correa and Tennessee Republican Phil Roe, MD.

"Physicians and other health care professionals are putting themselves at risk every day while facing shortages of medical supplies and safety equipment, as well as changing directives and guidance from all levels of government," said AMA President Patrice A. Harris, MD, MA. "We commend Reps. Roe and Correa for recognizing that reasonable liability protections are in the best interest of our country as we continue to combat COVID-19 and begin to recover from this pandemic." Much has been done in the battle to curb the pandemic, but the catastrophic damage has taken an undeniable toll. Stimulus relief to date has helped but is far from sufficient.

Please contact your Senators today and tell them that their phase four coronavirus relief legislation must include the critical physician and patient protections outlined above to ensure the health care system stays viable and able to provide high-quality care.

More articles in this issue

- June 5, 2020: National Advocacy Update
- June 5, 2020: State Advocacy Update