Sept. 4, 2020: Advocacy spotlight: Get facetime with Congress to hit on key pandemic relief measures

What's the news regarding the next COVID-19 relief package that is vital to helping physician practices weather the adverse financial effects of the pandemic? There is discouragingly little. Not only is Congress gridlocked, it is in recess. But while the lack of progress ahead of a key Sept. 30 fiscal year deadline can be frustrating, it also provides physician activists time to contact their senators and representatives to inform them about the measures they must take to make sure practices remain open so patients continue to get the care they need. The AMA Physicians Grassroots Network (PGN) has provided tools for arranging meetings via phone or videoconferencing technology. The PGN’s regional political directors will help connect physicians to existing meeting opportunities or set up new ones. The country and the U.S. health care system are facing “a once-in-a-generation health crisis,” a recent PGN mailing noted, adding that members of Congress must hear from physicians about the provisions outlined below that need to be included in the next COVID-19 relief package.

**Continue the expansion of, and add flexibility to, the Medicare Accelerated and Advanced Payments Program.** The program provides an emergency cash advance based on a practice’s historical Medicare payments to provide necessary funds when there is a disruption in claim submission or processing—such as with the COVID-19 pandemic. This program offered a lifeline to cash-strapped practices and resulted in the Centers for Medicare & Medicaid Services’ (CMS) approving almost 24,000 applications totaling $40.4 billion in advanced payments to physicians, health professionals and other Medicare Part B suppliers early in the pandemic. But repayment is due, and the terms are harsh. On this issue, the AMA is asking Congress to:

- Postpone recoupment until 365 days after the advance payment has been issued to a physician practice
- Reduce the per-claim recoupment amount from 100% to 25%
- Extend the repayment period for physicians to two years

**Better address Medicare and Medicaid payment policy** to account for the lack of positive updates to further assist America’s doctors caring for patients during the pandemic. There are positive changes related to coding and payment for evaluation and management physician office-visit services included in the recently released 2021 Medicare proposed physician payment schedule. But these and other raises are forcing deep payment cuts elsewhere because of Medicare budget-neutrality requirements. On top of a nearly 11% proposed cut in the Medicare conversion factor, physicians and other health professionals who report relatively few office-visit codes may see further cuts. The AMA has told CMS that cutting Medicare pay during the COVID-19 pandemic doesn’t make sense.

**Include direct financial support to help sustain physician practices**

Copyright 1995 - 2021 American Medical Association. All rights reserved.
through the COVID-19 crisis including additional emergency relief fund grants and access to small business loans. **Permanently lift the geographic and site restrictions on telehealth technologies** so all Medicare beneficiaries have access to telehealth services, including from home, regardless of where they live. Congress took swift and decisive actions to ensure that telehealth services would be available to all Medicare beneficiaries early in the COVID-19 pandemic. But these actions will expire when the public health emergency is over. The AMA has told Congress that the progress seen in the use of telehealth services will be erased if it fails to act. **Institute broader liability protection for physicians** and clinicians as they continue their front-line fight against COVID-19. Physicians and other professionals remain vulnerable to the threat of unwarranted and unfair lawsuits as they continue to treat individuals afflicted with COVID-19 while also caring for non-COVID-19 patients and addressing the full-time task of securing adequate medical supplies and personal protective equipment (PPE). **Provide federal assistance for the purchase of PPE** for America’s health care workers. "The lack of a coordinated national strategy to acquire and distribute PPE has certainly played a role [in recurring shortages, and is] forcing state governments to compete with each other—and with the federal government as well as foreign nations—to secure masks, gowns, gloves and other gear," AMA President Susan R. Bailey, MD, wrote in a recent AMA Leadership Viewpoints column, "Recurring PPE shortages must be resolved now."

**More articles in this issue:**

- September 4, 2020: National Advocacy Update
- September 4, 2020: State Advocacy Update