

## **Nov. 13, 2020: Advocacy spotlight on Tell Congress now is not the time to cut Medicare payments**

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### **Tell Congress now is not the time to cut Medicare payments**

A coalition of organizations representing physicians and allied health professionals, including the AMA, sent a letter to Congressional leadership expressing support for H.R. 8702, the "Holding Providers Harmless from Medicare Cuts During COVID-19 Act of 2020," which was introduced by Reps. Ami Bera, MD (D-CA) and Larry Bucshon, MD (R-IN). The legislation was drafted in response to the anticipated impact of the 2021 Medicare physician payment schedule rule, slated to be released about Dec. 1, that will cause a significant redistribution in payments beginning in January. In the proposed rule issued last summer, CMS estimated the range of impacts on specialties to range between -11% and +17%, depending on the mix of services provided. Medicine has been arguing for waiving the budget neutrality requirement, or at least postponing it during the COVID-19 pandemic, given the pandemic's already severe impact on practice revenues. However, due to the budget impact and concerns in Congress about setting a precedent of legislative intervention into statutory budget neutrality requirements, a total waiver is no longer being discussed. H.R. 8702 would effectively freeze payments at 2020 rates for services scheduled to be cut in 2021 for a period of two years, while allowing the planned E/M payment increases to take place as scheduled. It would also avert steep payment cuts for hospital, nursing home, and critical care visits. At the end of the two-year reprieve, the full budget neutrality adjustment would take effect. Importantly, all specialties will benefit from higher average payments under H.R. 8702. No specialty would experience a negative impact below 0% (as opposed to a cut of 11% under current law) and specialties anticipating total Medicare payment increases in 2021 will see additional increases. The legislation is broadly, but not universally, supported by physician organizations. The pandemic has hit all specialties hard, and there is no question that payment reductions in a program as important as Medicare threaten practice viability and must be stopped. The AMA is supporting H.R. 8702 because it will stop very ill-timed Medicare payment cuts while allowing scheduled payment increases to move forward. Final legislation will be crafted by the committees of jurisdiction; they are watching developments on the Bera-Bucshon legislation closely as a potential solution that does not involve an actual waiver of budget neutrality. AMA will keep you informed of further developments. Please contact your member of Congress and ask them to support the "Holding Providers Harmless from Medicare Cuts During COVID-19 Act" (H.R. 8207) today.

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