

October 29, 2019

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health & Human Services
Hubert H. Humphrey Building, Room 509F
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Azar:

The undersigned organizations represent the hundreds of thousands of physicians who treat our nation's Medicare patients every day. We are committed to working with the Administration on efforts to improve the program. We want to highlight our concerns, however, with a provision in the October 3, 2019 Executive Order entitled, "Protecting and Improving Medicare for our Nation's Seniors."

We are concerned with the broad yet vague language in section 5, particularly the language related to the supervision and reimbursement of nonphysician professionals. We are highly concerned this language requires the Secretary of Health and Human Services to propose a regulation to eliminate or weaken current Medicare supervision requirements of nonphysician professionals, a critical safeguard to ensure the health and safety of Medicare patients and the cornerstone of the widely adopted team-based approach to health care. Scope of practice of health care professionals should be based on standardized, adequate training and demonstrated competence in patient care, not politics. While all health care professionals share an important role in providing care to patients, their skillset is not interchangeable with that of a fully trained physician.

The undersigned organizations have long supported physician-led health care teams, with each member drawing on their specific strengths, working together, and sharing decisions and information for the benefit of the patient. Just as teams do in business, government, sports, and schools, health care teams require leadership. With seven or more years of postgraduate education and more than 10,000 hours of clinical experience, physicians are uniquely qualified to lead the health care team. Team-based care has a proven track record of success in improving the quality of patient care, reducing costs, and allowing all health care professionals to spend more time with their patients. Before imposing broad stroke changes to Medicare's supervision requirements and reimbursement policies, the undersigned organizations encourage the Administration to carefully review and consider fact-based resources, including a thorough review of the vast differences in education and training of nonphysician health care professionals and the impact on the overall cost of care.

We are also concerned with language in section 5 that would require the Secretary of the Department of Health and Human Services to propose a regulation that would affect the reimbursement of physicians and nonphysicians established under the Social Security Act.

We consider such a proposal to require a change to the underlying statute and urge the Administration to refrain from pursuing this proposal.

Sincerely,

American Medical Association
AMDA - The Society for Post-Acute and Long-Term Care Medicine
American Academy of Allergy, Asthma & Immunology
American Academy of Dermatology Association
American Academy of Family Physicians
American Academy of Neurology
American Academy of Ophthalmology
American Academy of Otolaryngic Allergy
American Academy of Otolaryngology - Head and Neck Surgery
American Academy of Physical Medicine & Rehabilitation
American Association of Child and Adolescent Psychiatry
American Association of Clinical Endocrinologists
American Association of Clinical Urologists
American Association of Hip and Knee Surgeons
American Association of Neurological Surgeons
American College of Allergy, Asthma and Immunology
American College of Emergency Physicians
American College of Osteopathic Internists
American College of Osteopathic Surgeons
American College of Physicians
American College of Radiation Oncology
American College of Radiology
American College of Surgeons
American Contact Dermatitis Society
American Gastroenterological Association
American Orthopaedic Foot & Ankle Society
American Osteopathic Association
American Psychiatric Association
American Society for Aesthetic Plastic Surgery
American Society for Clinical Pathology
American Society for Dermatologic Surgery Association
American Society for Gastrointestinal Endoscopy
American Society for Radiation Oncology
American Society of Anesthesiologists
American Society of Cataract & Refractive Surgery
American Society of Dermatopathology
American Society of General Surgeons
American Society of Neuroradiology
American Society of Plastic Surgeons

American Society of Retina Specialists
American Urological Association
American Academy of Ophthalmology
Association of Academic Physiatrists
Association of University Radiologists
College of American Pathologists
Congress of Neurological Surgeons
International Society for the Advancement of Spine Surgery
Renal Physicians Association
Society for Cardiovascular Angiography and Interventions
Society of American Gastrointestinal and Endoscopic Surgeons
Society of Interventional Radiology
Spine Intervention Society

Medical Association of the State of Alabama
Alaska State Medical Association
Arizona Medical Association
Arkansas Medical Society
California Medical Association
Colorado Medical Society
Connecticut State Medical Society
Medical Society of Delaware
Medical Society of the District of Columbia
Florida Medical Association Inc
Medical Association of Georgia
Hawaii Medical Association
Idaho Medical Association
Illinois State Medical Society
Indiana State Medical Association
Iowa Medical Society
Kansas Medical Society
Kentucky Medical Association
Louisiana State Medical Society
Maine Medical Association
MedChi, The Maryland State Medical Society
Massachusetts Medical Society
Michigan State Medical Society
Minnesota Medical Association
Mississippi State Medical Association
Missouri State Medical Association
Montana Medical Association
Nebraska Medical Association
Nevada State Medical Association
New Hampshire Medical Society

Medical Society of New Jersey
New Mexico Medical Society
Medical Society of the State of New York
North Carolina Medical Society
North Dakota Medical Association
Ohio State Medical Association
Oklahoma State Medical Association
Oregon Medical Association
Pennsylvania Medical Society
Rhode Island Medical Society
South Carolina Medical Association
South Dakota State Medical Association
Tennessee Medical Association
Texas Medical Association
Utah Medical Association
Vermont Medical Society
Medical Society of Virginia
Washington State Medical Association
West Virginia State Medical Association
Wisconsin Medical Society
Wyoming Medical Society