

December 3, 2020

The Honorable Rand Paul, MD
U.S. Senate
1727 Russell Senate Office Building
Washington, DC 20510

Dear Senator Paul:

On behalf of the undersigned organizations representing surgeons across the United States, we would like to express our strong support for the *Medicare Reimbursement Equity Act of 2020*.

Surgeons across the country are struggling with the financial impact of the COVID-19 pandemic — and are bracing for harmful Medicare physician payment cuts that could jeopardize patient access to medically necessary services. These cuts are scheduled to take effect on January 1, 2021, and are as a result of new payment increases for office and outpatient visits — also known as evaluation and management (E/M) codes — that, due to statutory requirements, require a budget neutrality adjustment. Contributing to the negative impact of these changes is CMS' failure to incorporate those same increases to the E/M component of the 10- and 90-day global codes. This legislation takes a critical step to provide stability for surgeons, their practices, and their patients by mandating that CMS incorporate the revised E/M values in the global codes, thus ensuring appropriate global surgical package code values.

CMS's continued refusal to adjust the value of these codes conflicts with the law as mandated by the Omnibus Budget Reconciliation Act (OBRA) of 1989 (P.L. 101-239), which requires relativity across the Medicare Physician Fee Schedule and specifically prohibits CMS from paying physicians differently for the same Medicare service.

Again, thank you for your leadership in introducing this important legislation, and we look forward to working with you on enacting this legislation before the end of the year.

Sincerely,

American College of Surgeons

American Academy of Facial Plastic and Reconstructive Surgery

American Academy of Ophthalmology

American Association of Neurological Surgeons

American Association of Orthopaedic Surgeons

American College of Osteopathic Surgeons

American Orthopaedic Foot & Ankle Society

American Society of Colon and Rectal Surgeons
American Society for Metabolic and Bariatric Surgery
American Society for Surgery of the Hand
American Society of Cataract and Refractive Surgery
American Society of Plastic Surgeons
American Society of Retina Specialists
American Urogynecologic Society
Congress of Neurological Surgeons
Society for Vascular Surgery
Society of American Gastrointestinal and Endoscopic Surgeons
Society of Gynecologic Oncology
The American Society of Breast Surgeons
The Society of Thoracic Surgeons