

February 14, 2013

The Honorable John Cornyn  
U.S. Senate  
Washington, DC 20510

Subject: Protecting Seniors' Access to Medicare Act Endorsement

Dear Senator Cornyn,

On behalf of the undersigned medical organizations, representing over 350,000 physicians and the patients they serve, we are pleased to endorse your bill, the Protecting Seniors' Access to Medicare Act, which would repeal the Independent Payment Advisory Board (IPAB). For a number of reasons highlighted below, we agree with you that now is the time to seize the moment and eliminate this unelected, unaccountable government board before it has a chance to become operational.

From the beginning of Medicare, Members of Congress have played an essential role in shaping policies that best meet the needs of their communities and constituents to ensure that the health care system is equipped to care for diverse populations across the country. With the advent of the IPAB, however, the people's elected representatives will no longer have power over Medicare payment policy. Instead, these major health policy decisions will rest in the hands of 15 unelected and largely unaccountable individuals. Even worse, if IPAB fails to report recommendations or never becomes operational, this power will rest solely in the hands of a single individual -- the Secretary of the Department of Health and Human Services. Additionally, fewer than half of the IPAB members can be health care providers, and none are permitted to be practicing physicians or be otherwise employed. Thus, not only does the creation of IPAB severely limit congressional authority, it essentially eliminates the transparency of hearings, debate and a meaningful opportunity for critical stakeholder input.

America's physicians are also concerned that the strict budgetary targets and other limitations imposed on the IPAB will ultimately threaten the ability of our nation's seniors and disabled to obtain the health care they need, when they need it. The IPAB will be required to recommend cuts based on unrealistic spending targets starting in 2014. Unfortunately, we have all witnessed the inaccuracies associated with projecting future Medicare expenditures, most notably the problems with the sustainable growth rate (SGR) formula. It is estimated that it will now cost nearly \$140 billion to "fix" the SGR, and we clearly cannot afford the IPAB to become the next SGR. Today, the price tag for repealing the IPAB is relatively small, so Congress should take advantage of this and repeal the IPAB now before the cost to do so becomes prohibitive and access to care problems become acute. And because IPAB funding was authorized to begin on October 1, 2011 and board members can now be appointed, there is increased urgency for repeal before this board ever gets off the ground.

Finally, providers representing roughly 37 percent of all Medicare payments -- including hospitals and hospice care -- are exempt from IPAB cuts until 2020; thus IPAB directed cuts will disproportionately fall on physicians. Physicians are already facing cuts in excess of 40 percent over the next decade, and without a permanent solution to the Medicare's sustainable growth rate (SGR) formula, they could be subject to "double jeopardy" from cuts from the combined application of SGR and IPAB.

While we recognize the need to reduce the federal budget deficit and control the growth of health care spending, the IPAB is simply the wrong solution for addressing these budgetary challenges. We need a workable alternative that adequately reimburses physicians and ensures that patients will have timely access to quality care.

Leaving Medicare payment decisions in the hands of an unelected, unaccountable body with minimal congressional oversight will negatively affect timely access to quality health care for our country's senior citizens and the disabled. We stand ready to join with you and your colleagues in this effort to repeal the IPAB.

Sincerely,

Alliance of Specialty Medicine  
American Academy of Facial Plastic and Reconstructive Surgery  
American Academy of Neurology  
American Academy of Otolaryngology – Head and Neck Surgery  
American Association of Clinical Endocrinologists  
American Association of Neurological Surgeons  
American Association of Orthopaedic Surgeons  
American College of Emergency Physicians  
American College of Mohs Surgeons  
American College of Radiology  
American Congress of Obstetricians and Gynecologists  
American Gastroenterological Association  
American Society of Anesthesiologists  
American Society of Breast Surgeons  
American Society of Cataract and Refractive Surgery  
American Society of Echocardiography  
American Society of Nuclear Cardiology  
American Society of Plastic Surgeons  
American Urological Association  
Cardiology Advocacy Alliance  
Coalition of State Rheumatology Organizations  
Congress of Neurological Surgeons  
Heart Rhythm Society  
Society for Cardiovascular Angiography and Interventions  
Society for Vascular Surgery  
Society of Gynecologic Oncology