The Honorable Charles Grassley Chairman Finance Committee US Senate Washington, DC 20510

The Honorable Richard Neal Chairman Committee on Ways and Means US House of Representatives Washington, DC 20515

The Honorable Frank Pallone Chairman Committee on Energy and Commerce US House of Representatives Washington, DC 20515

Dear Chairmen and Ranking Members:

The Honorable Ron Wyden Ranking Member Finance Committee US Senate Washington, DC 20510

The Honorable Kevin Brady Ranking Member Committee on Ways and Means US House of Representatives Washington, DC 20515

The Honorable Greg Walden Ranking Member Committee on Energy and Commerce US House of Representatives Washington, DC 20515

The undersigned organizations applaud the swift action by Congress on passage of an emergency supplemental spending bill to address the most urgent COVID-19 response needs. While physician practices are doing their best to continue to provide as close as possible to business as usual, physician practices are already feeling the strain of staffing shortages and adjustments to workflow. Physicians are working to mitigate the spread of COVID-19 and appreciate the support and regulatory flexibility they have received from Congress and the Administration thus far, including relaxation of telemedicine guidelines, to provide patient care under the safest of possible environments. As you consider other steps to reduce regulatory burden and costs on physician practices, we respectfully request that you suspend further implementation of the Medicare Appropriate Use Criteria (AUC) Program for advanced diagnostic imaging.

The AUC Program is currently in an Educational and Operations Testing Period, during which the Centers for Medicare and Medicaid Services (CMS) has made clear there are no payment consequences associated with the AUC program. We are concerned that ongoing promotion by vendors of AUC clinical decision support (CDS) tools and the overlapping confusion by physicians and other clinicians about AUC requirements will have inordinate consequences for physicians and other clinicians.

Through legislative action to suspend the program, Congress can reassure physicians there is no expectation that they will need to prepare this year for participation in a new Medicare improvement program. And while it is unclear whether CMS will be able to move the program beyond an education and operations testing phase for 2021, CMS rulemaking will not conclude until September 2020 creating

a long period of uncertainty and confusion. Because of the aforementioned concerns, we are requesting Congress' intervention as soon as feasible.

Many of the undersigned organizations have previously expressed to you concerns with the AUC Program, including how the intent of program overlaps with existing CMS quality and value-based initiatives, including alternative payment models, the Merit-based Incentive Payment System, and other innovative models, including the Primary Cares Initiative, being tested through the Centers for Medicare and Medicaid Innovation

We understand Congress will be confronted with many new and unprecedented challenges in the weeks and months ahead. Understanding there will be many pressing needs, we thank you in advance for allowing us to share our concerns regarding the AUC Program.

Sincerely,

American Academy of Family Physicians

American Academy of Otolaryngology - Head and Neck Surgery

American Academy of Physical Medicine and Rehabilitation

American Alliance of Orthopaedic Executives

American Association of Neurological Surgeons

American Association of Orthopaedic Surgeons

American College of Osteopathic Surgeons

American College of Physicians

American College of Surgeons

American Medical Association

AMGA

American Osteopathic Association

American Society for Gastrointestinal Endoscopy

American Society for Surgery of the Hand

American Society of Nuclear Cardiology

American Society of Plastic Surgeons

Congress of Neurological Surgeons

Medical Group Management Association

National Association of Spine Specialists