



August 21, 2009

The Honorable Bruce Braley  
1019 Longworth House Office Building  
Washington, D.C. 20515

Dear Mr. Braley:

On behalf of the American Medical Group Association (AMGA), which represents multispecialty groups and other organized systems of care, I respectfully request that you reconsider your support for your amendment co-sponsored with Representative Anthony Weiner (Weiner-Braley amendment) which would exclude certain advanced diagnostic imaging services from the in-office ancillary exemption of the Stark self referral statute. The amendment would restrict the ability of multi-specialty medical groups in Iowa and across the nation to coordinate the care of their Medicare and Medicaid patients.

It seems ironic that as President Obama highlights the high quality care provided in multi-specialty medical groups such as the Mayo and Cleveland Clinics, Congress may consider an amendment that would severely restrict their ability to provide this high level, coordinated care.

As you know, the Stark self referral statute (Statute) bars physicians from referring their Medicare and Medicaid patients for certain health care services to entities in which they have a financial interest. However, the Statute provides an exception that allows physicians to provide "ancillary services" in their offices as long as various requirements are met (see 42 U.S.C. 1395nn (b)(2)(A)). These "ancillary services" include advanced diagnostic imaging services such as MRIs, CT scans, and PET scans. The exception allows physicians in every medical group in Iowa, Harvard Vanguard Medical Associates, the Dean Health System, the Everett Clinic, the Jackson Clinic and others, to provide these services to their patients.

The Weiner-Braley amendment to HR 3200 would specifically remove CTs, MRIs and PET scans from the list of "ancillary services". If approved, this amendment would effectively prohibit integrated delivery systems from providing advanced diagnostic imaging procedures to their patients. Patients would have to receive these tests outside the system and they would lose the advantages inherent in a medical group: use of a uniform medical record contained in an EMR system; care management protocols incorporating evidence-based medicine; receiving care from a team of providers that can "talk" to each other. In short, this amendment would negatively impact the ability of these high quality providers from coordinating and managing the care of their patients.



We believe the Weiner-Braley amendment runs counter to Congress' intent to provide incentives for greater integration and coordination in health care delivery and we respectfully request that you reconsider your support for this amendment.

Thank you very much for your consideration. If you have any questions regarding this matter, please feel free to contact me or Chet Speed at [cspeed@amga.org](mailto:cspeed@amga.org).

Sincerely yours,

A handwritten signature in black ink, appearing to read "Donald W. Fisher", is positioned below the text "Sincerely yours,".

Donald W. Fisher, Ph.D.  
President and CEO  
American Medical Group Association.