

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.

Honorable Alex M. Azar II

October 29, 2019

Page 2

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 Orthopaedic Surgeons  
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