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Chicago Headquarters

633 N. Saint Clair Street
Chicago, IL 60611-3295

Voice: 312-202-5000

Fax: 312-202-5001

E-mail: postmaster@facs.org

Washington Office

20 F Street, NW Suite 1000
Washington, DC 20001

Voice: 202-337-2701

Fax: 202-337-4271

E-mail: djohnson@facs.org

facs.org

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December 18, 2020

The Honorable Sherrod Brown
United States Senate
Washington, DC 20510

The Honorable John Thune
United States Senate
Washington, DC 20510

Dear Senators Brown and Thune:

On behalf of the more than 82,000 members of the American College of Surgeons (ACS), I would like to express our support for the bipartisan *Improving Seniors' Timely Access to Care Act*, S. 5044. This legislation is a critical step in improving transparency and efficiency of the prior authorization (PA) process in the Medicare Advantage (MA) program.

Utilization review tools such as PA can sometimes play a role in ensuring patients receive clinically appropriate treatment while controlling costs. However, the ACS is concerned about the growing administrative burdens and the delays in medically necessary care associated with excessive PA requirements. Surgical patients are encountering barriers to timely access to care due to onerous and unnecessary PA requests from MA plans.

The *Improving Seniors' Timely Access to Care Act* would establish a real-time, electronic PA process, minimize the use of PA for routinely approved services, and ensure PA requests are reviewed by qualified medical personnel. Additionally, the legislation will bring greater transparency to the PA process by requiring MA plans to submit data to the Secretary of Health and Human Services on their use of PA and the rate at which authorization is delayed or denied for services eligible for coverage under the MA program, including surgeries and other invasive procedures. This is an important step in working towards addressing MA plans' undue use of PA for medically necessary services performed during an operation.

We are pleased that the legislation includes some beneficiary protection standards to ensure continuity of care and we hope this legislation will serve as a stepping-stone for further patient protections and standardization of PA requirements. Currently, many of MA plans' PA requirements are applied to items or services ordered in accordance with a standard or already-approved plan of care. We hope to see the Centers for Medicare & Medicaid Services further address the application of PA by MA plans in the future.

By bringing transparency to MA plans' usage of PA, this legislation will help to ensure timely access to patient care. Thank you for your efforts and leadership on this important issue.

Sincerely,

David B. Hoyt, MD, FACS
Executive Director

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