

Congress of the United States
Washington, DC 20515

August 11, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232, U.S. Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
H-204, U.S. Capitol
Washington, DC 20515

Dear Speaker Pelosi and Leader McCarthy:

Thank you for your continuing efforts to provide our healthcare specialists with much-needed and meaningful aid to allow them to continue operations during this pandemic. However, it has come to our attention that many specialists are being targeted for ill-conceived and sizeable cuts that simply no longer make sense to implement.

The Centers for Medicare and Medicaid Services' (CMS) final CY2020 Medicare Physician Fee Schedule rule published in November 2019 increased rates for the office-based evaluation and management (E/M) code set in CY2021. Due to the requirement for budget neutrality, this would result in a significant cut for many providers, across multiple specialties, beginning on January 1, 2021.

If these cuts go into effect, they will be devastating for providers and will ultimately result in decreased access to care for patients. Our healthcare system is already under tremendous financial strain, as it continues to grapple with both the economic and health consequences of the coronavirus. Now is not the time to implement these reckless cuts.

We ask that, in any upcoming and relevant legislation moving through the House, you waive budget neutrality for Calendar Years 2021 and 2022 for the E/M codes scheduled for implementation on January 1, 2021 as described in the final rule (84. Fed. Reg. 62568, 62847-62860). We also request that CMS reports to Congress on the overarching effects of the COVID-19 public health emergency. Specifically, Congress should require CMS to study how COVID-19 has impacted access to critical health services in underserved urban and rural Health Professional Shortage Areas, as well as the impact on providers of failing to waive budget neutrality associated with the E/M policy.

Thank you for your consideration of this request. If we can answer any questions, please do not hesitate to contact us.

Sincerely,



Bobby L. Rush
Member of Congress

/s/
Don Young
Member of Congress

/s/
Collin C. Peterson
Member of Congress

/s/
Sanford D. Bishop, Jr.
Member of Congress

/s/
Alcee L. Hastings
Member of Congress

/s/
Eddie Bernice Johnson
Member of Congress

/s/
Lucille Roybal-Allard
Member of Congress

/s/
Bennie G. Thompson
Member of Congress

/s/
Sheila Jackson Lee
Member of Congress

/s/
Danny K. Davis
Member of Congress

/s/
Ron Kind
Member of Congress

/s/
John Shimkus
Member of Congress

/s/
Barbara Lee
Member of Congress

/s/
Grace F. Napolitano
Member of Congress

/s/
James R. Langevin
Member of Congress

/s/
Rick Larsen
Member of Congress

/s/
Stephen F. Lynch
Member of Congress

/s/
Joe Wilson
Member of Congress

/s/
C. A. Dutch Ruppersberger
Member of Congress

/s/
Cathy McMorris Rodgers
Member of Congress

/s/
Albio Sires
Member of Congress

/s/
Gus M. Bilirakis
Member of Congress

/s/
Yvette D. Clarke
Member of Congress

/s/
Steve Cohen
Member of Congress

/s/
David Loebsack
Member of Congress

/s/
Peter Welch
Member of Congress

/s/
André Carson
Member of Congress

/s/
Marcia L. Fudge
Member of Congress

/s/
Pete Olson
Member of Congress

/s/
Glenn “GT” Thompson
Member of Congress

/s/
Paul Tonko
Member of Congress

/s/
Ted Deutch
Member of Congress

/s/
David N. Cicilline
Member of Congress

/s/
Jaime Herrera Beutler
Member of Congress

/s/
William R. Keating
Member of Congress

/s/
Cedric L. Richmond
Member of Congress

/s/
Terri A. Sewell
Member of Congress

/s/
Steve Stivers
Member of Congress

/s/
Donald M. Payne, Jr.
Member of Congress

/s/
Joyce Beatty
Member of Congress

/s/
Susan W. Brooks
Member of Congress

/s/
Julia Brownley
Member of Congress

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Cheri Bustos
Member of Congress

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Tony Cárdenas
Member of Congress

/s/
Rodney Davis
Member of Congress

/s/
Derek Kilmer
Member of Congress

/s/
Ann M. Kuster
Member of Congress

/s/
Alan S. Lowenthal
Member of Congress

/s/
Mark Pocan
Member of Congress

/s/
Raul Ruiz, M.D.
Member of Congress

/s/
Robin L. Kelly
Member of Congress

/s/
Mike Bost
Member of Congress

/s/
Brendan F. Boyle
Member of Congress

/s/
Earl L. "Buddy" Carter
Member of Congress

/s/
Brenda L. Lawrence
Member of Congress

/s/
David Rouzer
Member of Congress

/s/
Dwight Evans
Member of Congress

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Nanette Diaz Barragán
Member of Congress

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Jack Bergman
Member of Congress

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Ted Budd
Member of Congress

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Brian K. Fitzpatrick
Member of Congress

/s/
Vicente Gonzalez
Member of Congress

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Josh Gottheimer
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Raja Krishnamoorthi
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Al Lawson, Jr.
Member of Congress

/s/
Darren Soto
Member of Congress

/s/
Greg Gianforte
Member of Congress

/s/
Joseph D. Morelle
Member of Congress

/s/
Susan Wild
Member of Congress

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Colin Z. Allred
Member of Congress

/s/
Kelly Armstrong
Member of Congress

/s/
Cynthia Axne
Member of Congress

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Anthony Brindisi
Member of Congress

/s/
Gilbert Ray Cisneros, Jr.
Member of Congress

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Angie Craig
Member of Congress

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Sharice L. Davids
Member of Congress

/s/
Lizzie Fletcher
Member of Congress

/s/
Anthony Gonzalez
Member of Congress

/s/
Lance Gooden
Member of Congress

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Mark E. Green, M.D.
Member of Congress

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Chrissy Houlahan
Member of Congress

/s/
Andy Kim
Member of Congress

/s/
Chris Pappas
Member of Congress

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Greg Stanton
Member of Congress

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Jefferson Van Drew
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Eleanor Holmes Norton
Member of Congress

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Jenniffer González-Colón
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Fred Upton
Member of Congress

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Zoe Lofgren
Member of Congress

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Steve King
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Sean Patrick Maloney
Member of Congress

/s/
Dean Phillips
Member of Congress

/s/
Lisa Blunt Rochester
Member of Congress