



AMERICAN COLLEGE OF SURGEONS

*Inspiring Quality:
Highest Standards, Better Outcomes*

100+years

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February 8, 2018

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230 U.S. Capitol
Washington, DC 20510

The Honorable Charles Schumer
Democratic Leader
United States Senate
S-221 U.S. Capitol
Washington, DC 20510

Dear Majority Leader McConnell and Minority Leader Schumer:

On behalf of the more than 80,000 members of the American College of Surgeons (ACS), we are writing to share our appreciation of and support for a number of provisions included in the Bipartisan Budget Act of 2018 currently under consideration.

We are grateful for the extension of the period of flexibility for the Cost component of MIPS. As the Centers for Medicare and Medicaid Services (CMS) itself has admitted, significant problems exist with both the data used to make this computation and the methodology used in its application. Providing for the next three years that not less than 10 percent, but not more than 30 percent, of an individual provider's MIPS final score be attributed to the Cost component will provide much needed time for CMS to refine both its sources of data collected and the methodology applied to make this computation. We sincerely hope Congress will aggressively employ its oversight authority to ensure the time provided by this flexibility will be utilized effectively.

Similarly, we want to express our gratitude for the extension of the period of flexibility in setting the Performance Threshold for MIPS. We believe that a more gradual and incremental transition is more equitable and not only provides more time for surgeons to become familiar with the program and adapt their practice, performance and reporting habits accordingly, but also more time for CMS to implement the program in a logical and orderly fashion.

The ACS was also pleased to see the inclusion of the following provisions:

- The addition of a further long-term funding extension for the Children's Health Insurance Program (CHIP).
- The inclusion of language which eases meaningful use (MU) requirements.
- Additional funding to address the opioid epidemic and to support the work of the National Institutes of Health (NIH).
- Repeal of the Independent Payment Advisory Board (IPAB).

Finally, the ACS strongly opposed the use of the extension of the "Misvalued Codes" payment adjustment language included in the House-passed bill. We are pleased that the Senate did not include this dangerous policy. However,



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even with this change, we are concerned that physician payment updates will be reduced to a level below what Congress intended under the Medicare Access and CHIP Reauthorization Act (MACRA).

Again, we are grateful for the aforementioned provisions contained in the Bipartisan Budget Act of 2018. We look forward to our continued work together to address issues related to the care of surgical patients.

Sincerely,

A handwritten signature in black ink that reads "David B. Hoyt".

David B. Hoyt, MD, FACS
Executive Director, ACS

cc: All Members of the U.S. Senate and House

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