



October 21, 2020

The Honorable Mitch McConnell
Majority Leader
United State Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

The Honorable Chuck Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

Dear Leader McConnell, Leader Schumer, Speaker Pelosi, and Leader McCarthy:

The Cognitive Care Alliance (CCA) fully supports the revisions to the office/outpatient evaluation and management (E/M) CPT code set that the Centers for Medicare & Medicaid Services (CMS) previously finalized in the CY 2020 Medicare Physician Fee Schedule (MPFS) rule. The revisions to the codes and associated documentation were needed to accurately describe current practice, decrease provider documentation burden, and to reflect more appropriate value of the services. We recommend this policy be implemented without change on January 1, 2021.

CCA members are united in the belief that all of the existing E/M code families, outpatient as well as inpatient, do not accurately describe the non-procedural work delivered to patients and have exacerbated the workforce shortages in primary care and internal medicine subspecialties. Our membership, representing over 60,000 physicians from seven cognitive specialty societies, including general internal medicine, endocrinology, infectious diseases, gastroenterology, hematology, hepatology, and rheumatology, primarily provide E/M care to their patients. **Together, we request that you support the E/M documentation and payment changes as already finalized, and ask that you encourage the agency to implement this policy without change on January 1, 2021.**

As the first significant changes to the documentation requirements and reimbursement for outpatient E/M services, the revisions address administrative burden and the longstanding payment inaccuracies in the MPFS and are only a first step towards appropriately recognizing the complex, non-procedural care our members deliver to patients. The CCA is hopeful these changes will protect patient access to E/M services by addressing the longstanding compensation gap between procedural and non-procedural care and mitigating physician workforce shortages. Yet, these changes are only a first step to appropriately describe non-procedural care, and CMS must continue this work by addressing the documentation and valuations of the inpatient E/M services using an evidence-based approach.

The CCA recognizes the statutory requirement for CMS to implement all changes to the MPFS in a budget neutral manner and is extremely sympathetic to the payment cuts that will be implemented for other physician specialties, particularly during the COVID-19 pandemic. Should Congress or CMS decide to mitigate the payment cuts resulting for the application of budget neutrality we suggest that it be done without making changes to or delaying the office/outpatient E/M policy changes, which will have profound effects on physicians and exacerbate problems for Medicare patients accessing non-procedural care.

We, therefore, respectfully request that you support this policy and contact CMS to recommend implementation of the E/M coding and documentation changes as finalized. The CCA appreciates your continued leadership and support for these very important issues. If you have any questions or require additional information, please contact Erika Miller, Executive Director of the Cognitive Care Alliance, at emiller@dc-crd.com.

Sincerely,

A handwritten signature in black ink, appearing to read "John Goodson MD", with a stylized flourish at the end.

John Goodson, MD
Chair

Cognitive Care Alliance Member Organizations:

American Association of the Study of Liver Diseases
American Gastroenterological Association
American Society of Hematology
Coalition of State Rheumatology Organizations
Endocrine Society
Infectious Diseases Society of America
Society of General Internal Medicine

cc: Chairman Richard Neal, House Ways and Means Committee
Ranking Member Kevin Brady, House Ways and Means Committee
Chairman Chuck Grassley, Senate Finance Committee
Ranking Member Ron Wyden, Senate Finance Committee