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  
Ministry 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
Don Young
Member of Congress

Collin C. Peterson
Member of Congress

Sanford D. Bishop, Jr.
Member of Congress

Alcee L. Hastings
Member of Congress

Eddie Bernice Johnson
Member of Congress

Lucille Roybal-Allard
Member of Congress

Bennie G. Thompson
Member of Congress

Sheila Jackson Lee
Member of Congress

Danny K. Davis
Member of Congress

Ron Kind
Member of Congress

John Shimkus
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Barbara Lee
Member of Congress

Grace F. Napolitano
Member of Congress

James R. Langevin
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Rick Larsen
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Stephen F. Lynch
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Joe Wilson
Member of Congress

C. A. Dutch Ruppersberger
Member of Congress

Cathy McMorris Rodgers
Member of Congress

Albio Sires
Member of Congress

Gus M. Bilirakis
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Yvette D. Clarke
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Steve Cohen
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David Loebsack
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Peter Welch
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André Carson
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