Seema Verma, MPH
Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue SW
Washington, DC 20201

Dear Administrator Verma:

We write regarding the Centers for Medicare & Medicaid Services’ (CMS) 2020 Medicare Physician Fee Schedule (PFS) final rule published on November 15, 2019 (84 Fed Reg 62568 et seq.). Concerns about whether the implementation of certain aspects of this rule will reduce access to health services have been raised to us. To better respond to these concerns, we are requesting additional information regarding the process by which CMS reached the decision to reduce the reimbursement for services furnished by certain providers in 2021 to accommodate for the increases to the values of the office/outpatient evaluation and management (E/M) codes.

Specifically, we ask that you respond to the following two questions no later than February 21, 2020.

1. What methodology and data did CMS use to calculate each estimated specialty level impact associated with implementing the changes to the office/outpatient E/M code set, including an individual breakdown for each specialty included in the “Other” category? Please provide a description of the factors considered by the agency in establishing negative redistributive adjustments to the work and practice expense relative value units (RVUs) of each impacted specialty as outlined in Table 120.

2. CMS indicated it would consider additional information when preparing the final 2021 fee schedule. What additional information is most valuable to CMS? Will CMS take into consideration how these changes may impact beneficiary access to each specialty? If so, how?
Thank you for your consideration of our request. Our collective efforts are crucial to ensuring that Medicare beneficiaries have access to appropriate health services.

Sincerely,

Earl L. "Buddy" Carter  
Rep. Earl L. "Buddy" Carter  
Member of Congress

Lisa Blunt Rochester  
Rep. Lisa Blunt Rochester  
Member of Congress

John Joyce  
Rep. John Joyce, M.D.  
Member of Congress

Ted S. Yoho  
Rep. Ted S. Yoho, DVM  
Member of Congress

Susan Wild  
Rep. Susan Wild  
Member of Congress

Bobby L. Rush  
Rep. Bobby L. Rush  
Member of Congress

Mike Doyle  
Rep. Mike Doyle  
Member of Congress

Danny K. Davis  
Rep. Danny K. Davis  
Member of Congress

Mike Kelly  
Rep. Mike Kelly  
Member of Congress

Jeff Fortenberry  
Rep. Jeff Fortenberry  
Member of Congress

David N. Cicilline  
Rep. David N. Cicilline  
Member of Congress

Grace F. Napolitano  
Rep. Grace F. Napolitano  
Member of Congress
Rep. Steven M. Palazzo  
Member of Congress

Rep. Andy Harris, M.D.  
Member of Congress

Rep. Jared Golden  
Member of Congress

Rep. TJ Cox  
Member of Congress

Rep. Jaime Herrera Beutler  
Member of Congress

Rep. Salud Carbajal  
Member of Congress

Rep. John Shimkus  
Member of Congress

Rep. Stephen F. Lynch  
Member of Congress

Rep. Steve Womack  
Member of Congress

Rep. Carolyn B. Maloney  
Member of Congress

Rep. James Comer  
Member of Congress

Rep. Don Young  
Member of Congress

Rep. Russ Fulcher  
Member of Congress

Rep. Ben Cline  
Member of Congress
Rep. John Yarmuth  
Member of Congress

Rep. Lance Gooden  
Member of Congress

Rep. John B. Larson  
Member of Congress

Rep. Jamie Raskin  
Member of Congress

Rep. Lloyd Smucker  
Member of Congress

Rep. Trent Kelly  
Member of Congress

Rep. John Katko  
Member of Congress

Rep. David Rouzer  
Member of Congress

Rep. Jim Hagedorn  
Member of Congress

Rep. Cedric Richmond  
Member of Congress

Rep. Cathy McMorris Rodgers  
Member of Congress

Rep. Brian Fitzpatrick  
Member of Congress

Rep. Bruce Westerman  
Member of Congress
Rep. Greg Stanton  
Member of Congress

Rep. Rick W. Allen  
Member of Congress

Rep. Jack Bergman  
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Rep. Juan Vargas  
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Rep. Mark Pocan  
Member of Congress

Rep. Kelly Armstrong  
Member of Congress

Rep. Anthony Brindisi  
Member of Congress

Rep. Will Hurd  
Member of Congress

Rep. Ted Deutch  
Member of Congress

Rep. Donna E. Shalala  
Member of Congress

Rep. Pete Olson  
Member of Congress

Rep. Dean Phillips  
Member of Congress

Rep. Thomas R. Suozzi  
Member of Congress
Rep. Kevin Hern  
Member of Congress

Rep. John Garamendi  
Member of Congress

cc: Demetrios Kouzoukas, Principal Deputy Administrator for Medicare and Director  
John Brooks, Principal Deputy Director