February 5, 2020

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,

[Signatures of politicians]

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

Rep. Lisa Blunt Rochester
Member of Congress

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

Rep. Ted S. Yoho, DVM
Member of Congress

Rep. Susan Wild
Member of Congress

Rep. Bobby L. Rush
Member of Congress

Rep. Mike Doyle
Member of Congress

Rep. Danny K. Davis
Member of Congress

Rep. Mike Kelly
Member of Congress

Rep. Jeff Fortenberry
Member of Congress

Rep. David N. Cicilline
Member of Congress

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

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

Rep. Jaime Herrera Beutler
Member of Congress

Rep. John Shimkus
Member of Congress

Rep. Steve Womack
Member of Congress

Rep. James Comer
Member of Congress

Rep. Russ Fulcher
Member of Congress

Rep. Jared Golden
Member of Congress

Rep. TJ Cox
Member of Congress

Rep. Salud Carbajal
Member of Congress

Rep. Stephen F. Lynch
Member of Congress

Rep. Carolyn B. Maloney
Member of Congress

Rep. Don Young
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. 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. Trent Kelly
Member of Congress

Rep. David Rouzer
Member of Congress

Rep. Frederica S. Wilson
Member of Congress

Rep. Bruce Westerman
Member of Congress
Rep. Kurt Schrader  
Member of Congress

Rep. A. Drew Ferguson IV, DMD  
Member of Congress

Rep. Collin C. Peterson  
Member of Congress

Rep. David Trone  
Member of Congress

Rep. Luccille Roybal-Allard  
Member of Congress

Rep. Bill Johnson  
Member of Congress

Rep. Kendra S. Horn  
Member of Congress

Rep. Julia Brownley  
Member of Congress

Rep. Paul D. Tonko  
Member of Congress

Rep. Darren Soto  
Member of Congress

Rep. Ted Budd  
Member of Congress

Rep. Peter Welch  
Member of Congress

Rep. Angie Craig  
Member of Congress

Rep. Cindy Axne  
Member of Congress
Greg Stanton
Rep. Greg Stanton
Member of Congress

Rick W. Allen
Rep. Rick W. Allen
Member of Congress

Jack Bergman
Rep. Jack Bergman
Member of Congress

Paul A. Gosar, D.D.S.
Member of Congress

Juan Vargas
Rep. Juan Vargas
Member of Congress

Mark Pocan
Rep. Mark Pocan
Member of Congress

Kelly Armstrong
Rep. Kelly Armstrong
Member of Congress

Anthony Brindisi
Rep. Anthony Brindisi
Member of Congress

Will Hurd
Rep. Will Hurd
Member of Congress

Ted Deutch
Rep. Ted Deutch
Member of Congress

Donna E. Shalala
Rep. Donna E. Shalala
Member of Congress

Pete Olson
Rep. Pete Olson
Member of Congress

Dean Phillips
Rep. Dean Phillips
Member of Congress

Thomas R. Suozzi
Rep. Thomas R. Suozzi
Member of Congress
cc: Demetrios Kouzoukas, Principal Deputy Administrator for Medicare and Director
John Brooks, Principal Deputy Director