



September 13, 2022

The Honorable Ron Wyden
Chairman
Senate Finance Committee
United States Senate
Washington, DC 20510

The Honorable Mike Crapo
Ranking Member
Senate Finance Committee
United States Senate
Washington, DC 20510

The Honorable Richard Neal
Chairman
House Ways & Means Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Kevin Brady
Ranking Member
House Ways & Means Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Frank Pallone
Chairman
House Energy & Commerce Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Cathy McMorris Rodgers
Ranking Member
House Energy & Commerce Committee
U.S. House of Representatives
Washington, DC 20515

RE: Calendar Year 2023 Medicare Physician Fee Schedule Cuts

Dear Chairmen Wyden, Neal, and Pallone, and Ranking Members Crapo, Brady, and McMorris Rodgers:

I write on behalf of the Emergency Department Practice Management Association (EDPMA) to respectfully request that your committees and Congress act before the end of the year to mitigate expected Medicare Physician Fee Schedule (MPFS) cuts in calendar year 2023.

EDPMA is the nation's only professional physician trade associations focused on the delivery of high-quality, cost-effective care in the emergency department. EDPMA's membership includes emergency medicine physician groups, as well as billing, coding, and other professional support organizations that assist healthcare providers in our nation's emergency departments. Together, EDPMA's members deliver or directly support health care for approximately half of the 146 million patients that visit U.S. emergency departments each year.

We appreciate previous congressional action to address payment cuts in calendar years 2021 and 2022. As you know, physicians face significant cuts in CY 2023, specifically a reduction of nearly 4.5 percent to the Medicare conversion factor (CF) and a statutory 4 percent PAYGO cut. These cuts are not sustainable in the short term, especially on top of the 2 percent Medicare sequester cut which fully resumed on July 1. These reoccurring cuts demonstrate the need to examine the systemic problems that fail to provide stability and do not relate to the cost of providing patient care. Other Medicare providers receive annual payment updates based on an inflation proxy, while physician payments have long been subject to either nominal updates not tied to actual increases in physician costs, or no updates at all – as required for calendar years 2020 through 2025.

While the impending cuts for 2023 would be devastating to emergency medicine practices at any moment in time, the implementation of these cuts is especially devastating during the COVID-19 and monkeypox public health emergencies, record high inflation, and resumption of the 2 percent Medicare sequester. As you may know, emergency departments are federally mandated by the Emergency Medical Treatment and Labor Act (EMTALA) to provide care to everyone, no matter the patient's ability to pay. Despite facing dire financial circumstances, emergency physicians continue to provide EMTALA-mandated care; however, they have far fewer tools at their disposal to remain solvent.

We stand ready to work with you to address the short-term issue of stabilizing Medicare reimbursement in 2023 by increasing the Medicare CF in 2023 by at least 4.5 percent, waiving the 4 percent PAYGO cut, and providing an inflationary update based on the Medicare Economic Index (MEI). Importantly, we urge you to work toward a long-term solution to provide an annual inflationary update to provide greater stability for physicians participating in the Medicare program and their patients. We are committed to a long-term solution, and stand ready to assist as appropriate.

Thank you for your leadership in addressing this important issue. We look forward to working with you to advance short-term and long-term solutions. If you have any questions, please contact Cathey Wise, CAE, Executive Director of EDPMA, at cathey.wise@edpma.org.

Sincerely,



Don H. Powell, DO, FACEP
Chair
Emergency Department Practice Management Association