

## **Talking Points on Addressing Pressing Physician Issues in the Next COVID-19 Aid Package**

We request your assistance on several important physician issues that require immediate action as a result of the current COVID-19 pandemic. We ask that you actively work with your congressional colleagues to address these issues in the next COVID-19 aid package.

### **Passage of the Immediate Relief for Rural Facilities and Providers Act (H.R. 6365/S. 3559)**

- We urge your support for including the provisions of H.R. 6365, the Immediate Relief for Rural Facilities and Providers Act in the next COVID aid package. This legislation requires the SBA to ensure low-rate, deferred-interest loans specifically for physicians and provides a one-time stabilization payment for physicians based on their payroll.
- Enactment of these provisions will help stabilize rural physician practices and physician places of employment in rural areas during the COVID-19 crisis and in its aftermath.

### **Refinements to the Medicare Accelerated and Advanced Payment Program**

- We urge Congress to make changes to the Medicare Accelerated and Advanced Payment Program so it will support physicians during this unprecedented time. Important changes that will make the program beneficial include:
  - Lowering the excessive 10.25% interest rate for this program to zero (0.0%)
  - Extending the repayment period for physician practices from 210 days to a full year, which is provided under a similar program for hospitals
  - Providing CMS with additional flexibility to set repayment terms that are less burdensome to physicians
- These changes will enhance the utility and value of this program to physician practices coping with the financial stress caused by the current COVID-19 crisis.

### **Relief from Scheduled Cuts to Medicare Physician Payment from E/M Code Changes**

- Changes to payments for Evaluation and Management (E/M) codes finalized in the 2020 Medicare Physician Fee Schedule will exacerbate the financial stress physicians are experiencing due to the COVID-19 pandemic.
- While some physicians will benefit from E/M code adjustments, budget neutrality requirements will result in significant cuts to physicians who do not bill these codes. Furthermore, CMS has unfairly decided not to provide the E/M code adjustments for these services when billed as part of a global surgical package.
- We urge Congress to address these inequities by waiving the budget neutrality requirements for the Medicare Physician Fee Schedule under the Social Security Act for the finalized E/M code proposal, including increasing the E/M post-up visits for 10 and 90 day global services, for a period of no less than 5 years.

### **Providing Medical Liability Protections for Physicians**

- We request that Congress approve legislation that provides physician immunity from civil liability for any injury or death alleged to have been sustained because of acts or omissions undertaken in good faith while responding to the COVID-19 pandemic.
- The CARES Act contained important protections for volunteer physicians, and several states have taken measures to ensure that physicians are shielded from unwarranted medical litigation as a result of COVID-19.
- More needs to be done at the federal level to protect physicians who have joined the effort to provide care for COVID-19 patients outside of their usual practice area or specialty, e.g. surgeons and anesthesiologists, and physicians who have come out of retirement to aid the effort against COVID-19.

### **Alleviating Student Loan Burdens on Physicians**

- Thank you for taking action in the CARES Act to suspend collection of student loan payments and the accrual of interest through September 30<sup>th</sup>.
- Given the ongoing stress on healthcare providers caused by this epidemic and how much we still do not know about the virus or how long the current pandemic will last, we urge Congress to do more to alleviate the burden of medical student loan debt, such as:
  - providing partial loan forgiveness
  - strengthening existing medical student loan forgiveness programs, and/or
  - eliminating the interest on all medical federal student loans.
- Substantial student loan relief would reduce financial stress, particularly for residents and young physicians.

### **Supply Chain Support for Life-Saving Equipment**

- We urge Congress to continue to use every tool at your disposal that will increase production and distribution of personal protective equipment and critical medical supplies for patient and provider health and safety during this current public health crisis.
- There continues to be shortages of both PPE and supplies such as ventilators and Extracorporeal Membrane Oxygenation, which is life-saving support for patients not successfully supported on a ventilator.
- Invoking the Defense Production Act was a good first step to address shortages of PPE and critical medical supplies, but more needs to be done to ensure providers have the equipment they need now and in the future.