



November 6, 2023

The Honorable Dr. Mark Green  
U.S. House of Representatives  
Washington, DC 20515

Dear Dr. Green,

On behalf of the American College of Physicians (ACP), I write to share our support for H.R. 5213, the Reducing Medically Unnecessary Delays in Care Act. This legislation would reduce excessive administrative paperwork for physicians and protect our nation's seniors from unnecessary delays in care by reforming prior authorization practices in Medicare, Medicare Advantage, and Medicare Part D plans. We commend you for considering meaningful policy solutions to address burdensome paperwork requirements that can prevent physicians across the country from taking care of their patients.

ACP is the largest medical specialty organization and the second largest physician membership society in the United States. ACP members include 161,000 internal medicine physicians, related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge, clinical expertise, and compassion to the preventive, diagnostic, and therapeutic care of adults across the spectrum from health to complex illness.

This bill underscores the importance of seeking physician input in pre-authorization determinations. It would require that licensed physicians, who are board-certified in the specialty relevant to the health care service in question, review and make all pre-authorizations and negative determinations for the plans. Further, it would require that plans seek input from practicing physicians if they change written clinical criteria for pre-authorization reviews. This bill would further safeguard patient access to care by ensuring that negative determinations and restrictions will be based on medical necessity and written clinical criteria.

ACP also appreciates the transparency requirements in the bill, which would make it easier for physicians to determine if a prescribed procedure, service, or medication is covered. It would require that all plans post current pre-authorizations and restrictions on their respective websites; provide contracted health care providers with written notice of new or amended requirements no less than 60 days before implementation of such requirements; and publicly provide data on their rates for approvals or denials.

This legislation is consistent with [ACP's Patients Before Paperwork initiative](#), which serves as the foundation for the College's policy recommendations for revising, streamlining, or removing entirely burdensome administrative tasks to reinvigorate the patient-physician relationship and improve patient care by challenging unnecessary practice burdens. The framework and recommendations underscores the [importance of stakeholder engagement](#), including



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physicians involvement, in reducing administrative burden to improve patient care as well as provide a better understanding of the daily issues physicians face including obstacles to prior authorization.

Prior authorization involves paperwork and phone calls, as well as varying data elements and submission mechanisms that force physicians to provide unnecessary data or perform duplicative tasks outside of the clinical workflow. This inhibits clinical decision-making at the point of care, creating a barrier to medical care for patients. Moreover, prior authorization can contribute significantly to the burnout epidemic among physicians. A [survey](#) of more than 600 medical groups in March 2023 showed that 84 percent reported an increase in their prior authorization requirements for Medicare Advantage plans. In 2022, a [survey](#) of more than 500 doctors from group practices found that 89 percent believe that regulatory burdens increased in the past year, and 82 percent responded that the prior authorization process is very or extremely burdensome.

HHS issued a [report](#) that detailed abuse in the prior authorization process in which “Medicare Advantage insurers sometimes delayed or denied beneficiaries’ access to services, even though the requests met Medicare coverage rules.” These issues are of great concern to all practicing physicians but are particularly burdensome for smaller practices that may not have the staff or workflows available to address the additional administrative work, potentially impeding access to care in underserved areas with clinician workforce shortages.

ACP fully supports H.R. 5213, the Reducing Medically Unnecessary Delays in Care Act. We stand ready to work with you to ensure its passage. We greatly appreciate your efforts to lead on tackling pressing issues that impact the physician workforce. Should you have any questions, or if we can be of further assistance, please contact Vy Oxman, Senior Associate of Legislative Affairs, at [voxman@acponline.org](mailto:voxman@acponline.org).

Sincerely,

A handwritten signature in black ink that reads "Omar Atiq".

Omar T. Atiq, MD, MACP

President