

March 18, 2020

The Honorable Frank Pallone
Chairman
House Committee on Energy
& Commerce
2125 Rayburn House Office Building
Washington D.C. 20515

The Honorable Greg Walden
Ranking Member
House Committee on Energy
& Commerce
2322-A Rayburn House Office Building
Washington D.C. 20515

The Honorable Richard Neal
Chairman
House Committee on Ways & Means
1102 Longworth House Office Building
Washington D.C. 20515

The Honorable Kevin Brady
Ranking Member
House Committee on Ways & Means
1139 Longworth House Office Building
Washington D.C. 20515

Dear Chairmen Pallone & Neal and Ranking Members Walden & Brady:

As the number of U.S. coronavirus cases continues to increase, we are writing to urge you to ensure Medicare patients have access to the care management and coordination provided by clinicians and healthcare teams engaged in value based care models such as accountable care organizations (ACOs) and value based models run by the Center for Medicare and Medicaid Innovation.

Congress has long encouraged clinicians and healthcare organizations to adopt a value-based approach to patient care by participating in programs such as the Medicare Shared Savings Program (MSSP), advanced Alternative Payment Models (APMs) under the Medicare Access and CHIP Reauthorization Act, and others. Under the financial evaluation methodologies of many of these models, participants are directly responsible for the skyrocketing costs that we expect to accrue during the COVID-19 pandemic. This is causing significant concern and uncertainty amongst ACOs and APM participants, especially as key program deadlines swiftly approach, including spring application deadlines, summer participant agreement deadlines, and upcoming deadlines for risk-bearing APM entities to exit to avoid financial accountability for performance year 2020.

To enable these front line clinicians and care teams to continue to focus on providing high quality, coordinated care to patients, we urge you to preclude the financial impact or shared loss repayment for all ACOs and other value based program participants based on costs accrued related to COVID-19 care and during this public health crisis.

Thank you for your consideration of this important issue.

Sincerely,

American Academy of Family Physicians
American College of Physicians
American Hospital Association
American Medical Group Association
America's Essential Hospitals
Association of American Medical Colleges
Federation of American Hospitals
Health Care Transformation Task Force
Medical Group Management Association
National Association of ACOs

CC: Speaker of the House Nancy Pelosi
House Majority Leader Steny Hoyer
House Minority Leader Kevin McCarthy