



May 1, 2024

Bill McBride  
Executive Director  
National Governors Association  
444 N. Capitol St NW, Suite 267  
Washington, DC 20001

Dear Mr. McBride:

On behalf of the American College of Physicians (ACP), I am writing to express our concerns regarding the recent cybersecurity incident involving Change Healthcare and its significant impact on physicians over the past two months. The College is the largest medical specialty organization and the second-largest physician group 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 and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness.

In February, Change Healthcare, a subsidiary of UnitedHealth Group, had many of its critical functions halted after a cyberattack. Change Healthcare is the largest clearinghouse for insurance billing and reporting and is essential to processing millions of claims. As a result of the outage, physicians have not received payment for services and are without the revenue they are accustomed to, rely on, and that which is necessary to continue providing care. Steps have been taken to advance payments to physicians, but cash flow disruptions are still occurring, and physicians are being forced to reduce hours, cut staff, and hold off on purchasing necessary supplies. We are especially concerned about the impact this has had on smaller, independent practices more likely to be in rural locations and provide care for underserved patients. The reported delays and disruptions to patient care over the past two months are unacceptable.

**ACP calls on the NGA to collaborate with and urge state Medicaid plans to provide upfront payments to physicians.** A recent [survey from the American Medical Association](#) found that less than one percent of practices have received any financial assistance from state Medicaid plans. The NGA can lead the way in bringing together health plans and insurance commissioners to determine how to provide physicians with financial aid. While some physicians have been able to receive upfront payments from the federal government, that only applies to physicians who mostly care for Medicare patients. Other physicians with a large patient population from private insurers have faced cash shortages and disruptions. Restoring cash flow to physicians nationwide is a top priority for ACP, and we believe that the NGA can play a critical role in facilitating these payments.

Along with requests for more substantive upfront payments, we have also recommended that the Department of Health and Human Services (HHS) prioritize communication and messaging beyond what



is online and use direct mail, phone calls, and fax messages to communicate with physicians. This is particularly important as smaller and more rural practices caring for the underserved do not have access to many of the same resources as larger, better-resourced health systems. ACP has also urged that HHS guarantee physicians will not be penalized in the Merit-based Incentive Payment System (MIPS) and facilitate the use of paper claims.

In addition to our concerns about cashflow disruptions and access to care, ACP is incredibly disturbed by reports that UnitedHealth Group has used this recent cyberattack to take advantage of practices that are struggling financially by buying them out and expediting mergers with UnitedHealth Group. Due to the attack against its systems, practices have been financially distressed. It is a predatory practice for UnitedHealth Group to acquire practices vulnerable due to its own attack. We call on the NGA, along with federal partners, to urge states to begin investigating and thoroughly examining these predatory practices. The NGA can act in a leadership role to alert states of these practices and ensure that UnitedHealth Group does not take advantage of these at-risk practices.

ACP appreciates the work of the NGA in supporting physicians and patients during this challenging time. The College will continue to give feedback to the NGA and inform our members' perspectives. We look forward to a continued partnership now and in the future, as physicians continue to feel the effects of this cyberattack. Please contact Dejaih Johnson, JD, MPA, Manager, Regulatory Affairs for the American College of Physicians, at [djohnson@acponline.org](mailto:djohnson@acponline.org) or (202) 261-4506 with questions or comments about the contents of this letter.

Sincerely,

A handwritten signature in blue ink that reads "Leslie F. Algase MD, FACP".

Leslie F. Algase, MD, FACP  
Chair, Medical Practice and Quality Committee  
American College of Physicians

Cc:

Governor Spencer Cox, NGA Chair  
Governor Jared Polis, NGA Vice Chair