

State Health Policy Networking Webinar

Washington Landscape

February 28, 2023

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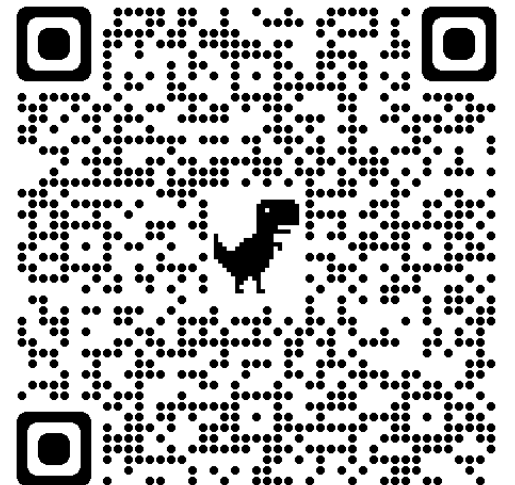
David Pugach, JD, Vice President, Governmental Affairs and Public Policy

2022 Policy Wins



2022 Achievements on Capitol Hill

- Inflation Reduction Act:
 - Funding and policies addressing climate change
 - Prescription drug affordability provisions, including drug price negotiation by Medicare, insulin pricing for Medicare beneficiaries, and zero cost sharing for vaccinations for Medicare beneficiaries
 - Three-year extension (through 2025) of enhanced subsidies for people buying their own health coverage on the Affordable Care Act Marketplaces.
- Bipartisan Safer Communities Act
 - Firearms and behavioral health funding and policy.
- FY23 Omnibus – Consolidated Appropriations Act
 - Funding and policy on a number of critical issues
 - COVID-19 and public health preparedness



Legislative Changes Impacting Physician Payment and Practice

- Increases Medicare Physician Fee Schedule payments by 2.5 percent in 2023. For services furnished in 2024, it provides a 1.25 percent payment increase. PAYGO was also addressed.
 - As a result, PFS payment rates received an across-the-board cut of 2% in 2023 instead of the 8.5% cut that was scheduled to go into effect on January 1st
- Extends incentive payments, with a 3.5 percent Medicare Part B incentive payment, for participation in advanced alternative payment models (APMs) through 2025.
- Extends all the Medicare telehealth flexibilities that were extended for 151 days post-PHE in the FY22 omnibus through December 31, 2024. Rulemaking may still be needed.
- Eliminates requirement for health care practitioners registered to dispense controlled substances to apply for a separate waiver (the X waiver) through the DEA to dispense buprenorphine for opioid use disorder maintenance or detoxification treatment.
- Includes not less than \$5,000,000 to support interoperability and information sharing efforts related to the implementation of Fast Healthcare Interoperability Resources standards or associated implementation standards.
- Authorizes \$100 million for the Public Health Workforce Loan Repayment Program and requires a GAO report to address gaps.

Estimated Specialty Impact of CY 2023 MFS Final Rule and Consolidated Appropriations Act of 2023

Specialty	Allowed Charges (mil)	Combined Impact of CY 2023 MFS Final Rule and Consolidated Appropriations Act of 2023*
Allergy/Immunology	\$233	-2%
Anesthesiology	\$1,749	-2%
Audiologist	\$71	-2%
Cardiac Surgery	\$199	-2%
Cardiology	\$6,331	-1%
Chiropractic	\$674	0%
Clinical Psychologist	\$791	-2%
Clinical Social Worker	\$861	-2%
Colon and Rectal Surgery	\$156	-2%
Critical Care	\$354	1%
Dermatology	\$3,760	-1%
Diagnostic Testing Facility	\$817	6%

Internal Medicine	\$9,881	3%
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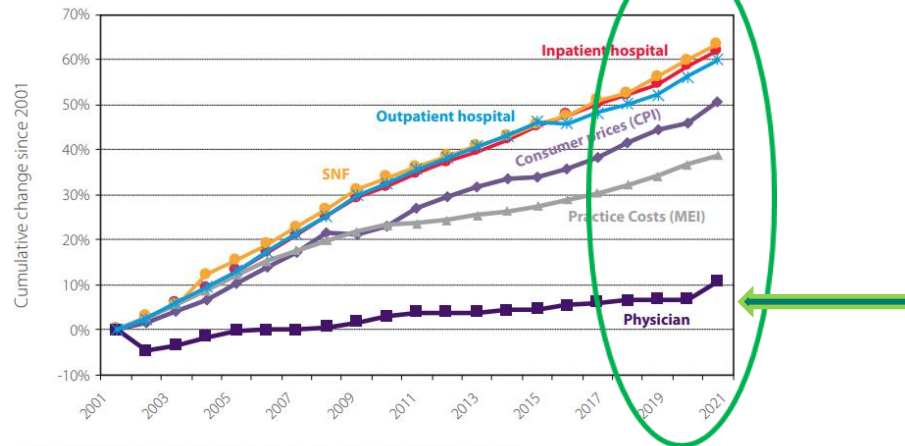
Gastroenterology	\$1,595	-1%
General Practice	\$378	0%
General Surgery	\$1,772	-2%
Geriatrics	\$177	2%
Hand Surgery	\$256	-1%
Hematology/Oncology	\$1,713	-1%
Independent Laboratory	\$600	0%
Infectious Disease	\$590	3%
Internal Medicine	\$9,881	3%
Interventional Pain Mgmt	\$929	-2%
Interventional Radiology	\$467	-3%
Multispecialty Clinic/Other Phys	\$151	-1%
Nephrology	\$2,032	1%
Neurology	\$1,406	-1%
Neurosurgery	\$732	-1%

Physician Payment Falling Short



Medicare updates compared to inflation (2001-2021)

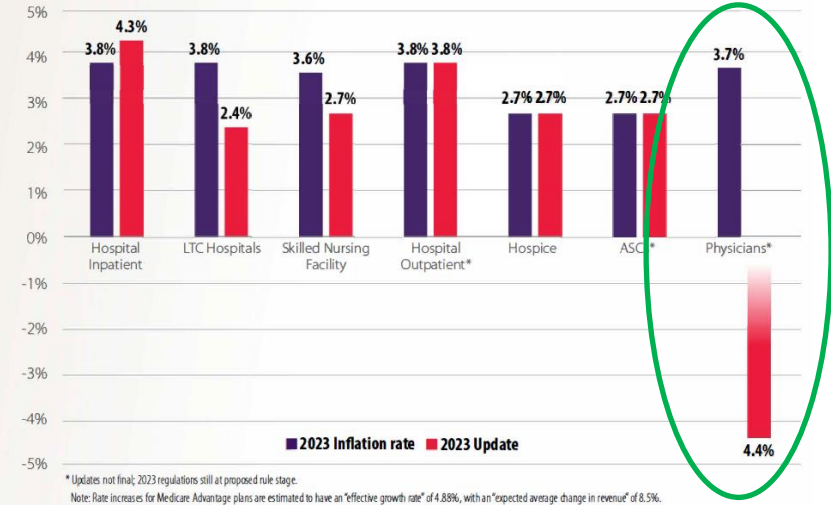
The Medicare physician payment system needs annual inflation updates



Sources: Federal Register, Medicare Trustees' Reports and U.S. Bureau of Labor Statistics

Why is Medicare proposing payment updates in 2023 for all providers EXCEPT physicians?

Medicare provider updates for 2023



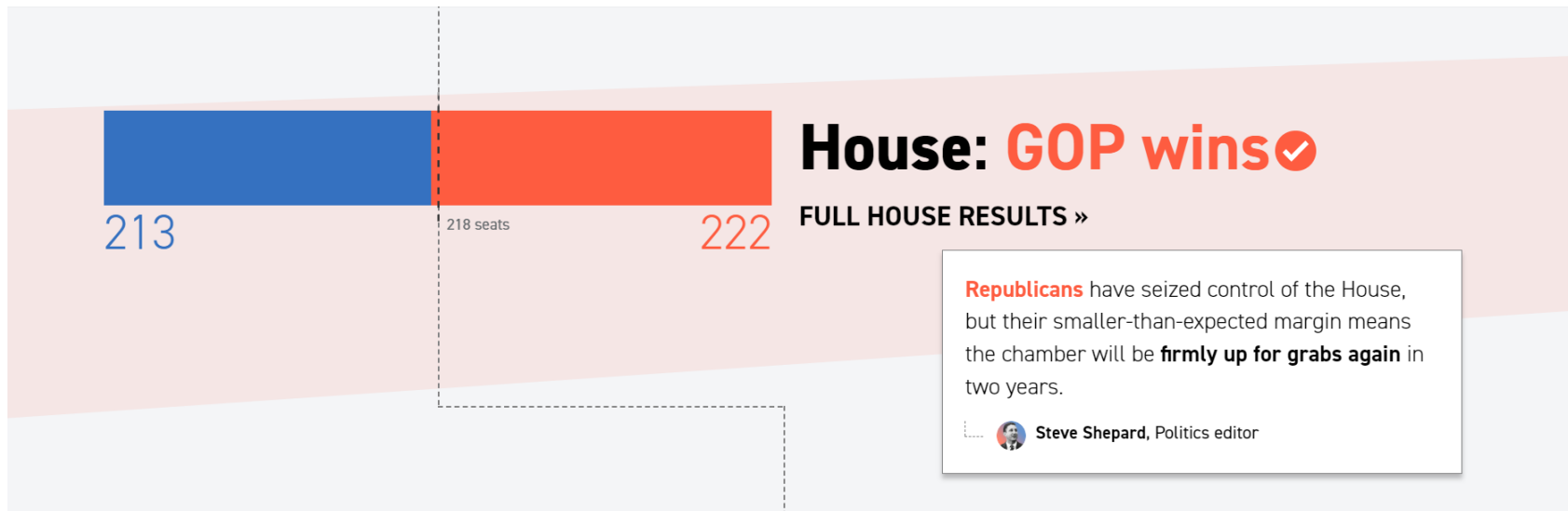
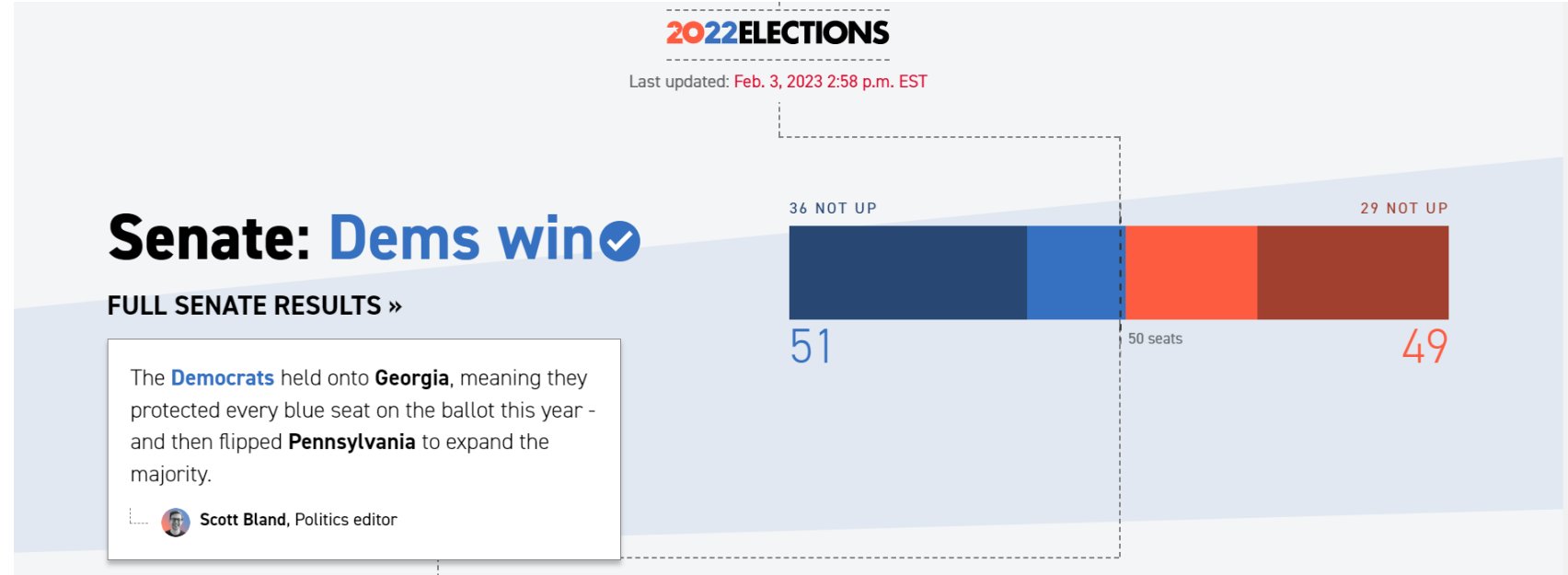
* Updates not final; 2023 regulations still at proposed rule stage.
 Note: Rate increases for Medicare Advantage plans are estimated to have an "effective growth rate" of 4.88%, with an "expected average change in revenue" of 8.5%.
 Hospital inpatient, LTC hospitals, SNFs, hospice, hospital outpatient and ASC inflation rates reflect market basket less a productivity adjustment.
 Physician fee schedule inflation rate is the Medicare Economic Index, which has a productivity adjustment.
 Potential adjustments for quality performance omitted for all provider types.



118th Congress



2022 Elections



<https://www.politico.com/2022-election/results/>

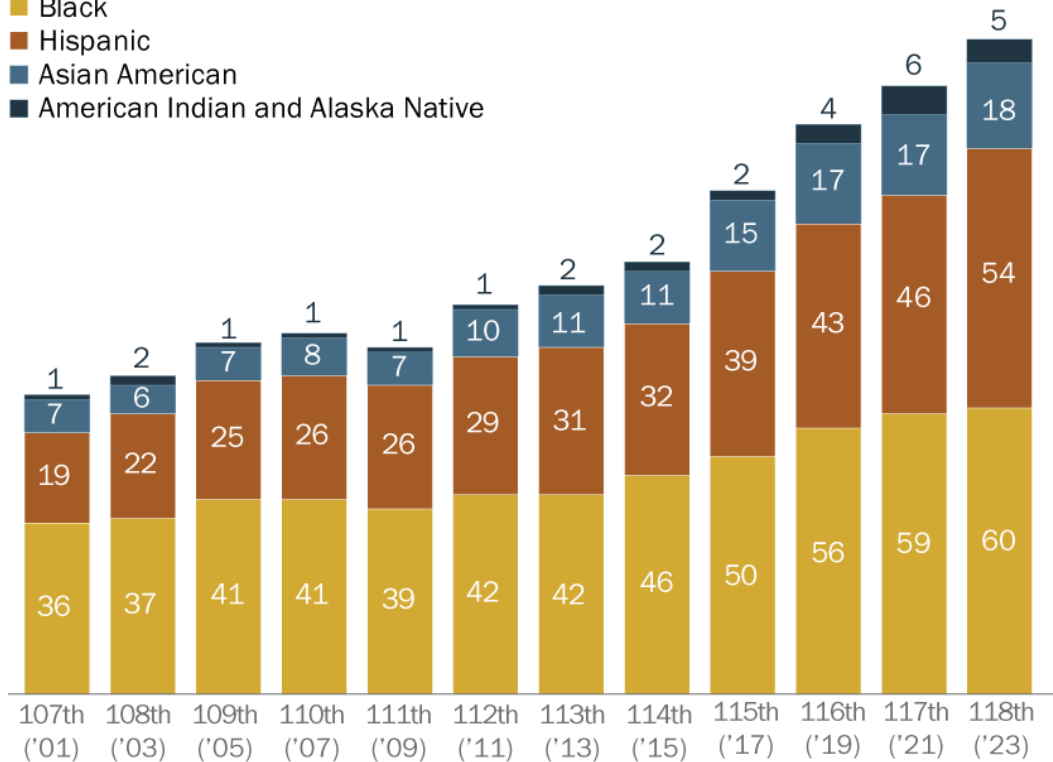
Comparison of 117th and 118th Congress

	117th Congress, 2nd Session	118th Congress, 1st Session
Senate Democrats	50 (48, 2 Independents)	51 (48, 3 Independents)
Senate Republicans	50	49
House Democrats	218 (4 vacancies)	212 (1 Vacancy, election pending)
House Republicans	213	222
Women	147 (24 Senate, 123 House)	149 (25 Senate, House vacancy)
African American	59 (56 House, 3 Senate)	60 (57 House, 3 Senate)
Hispanic	54 (48 House, 6 Senate)	54 (48 House, 6 Senate)
Asian American/Pacific Islander	21 (16 Rep, 3 Del, 2 Senate)	21 (16 Rep, 3 Del, 2 Senate)

Racial and ethnic diversity continues to grow in Congress

Number of non-White U.S. House and Senate members by race and ethnicity

- Black
- Hispanic
- Asian American
- American Indian and Alaska Native

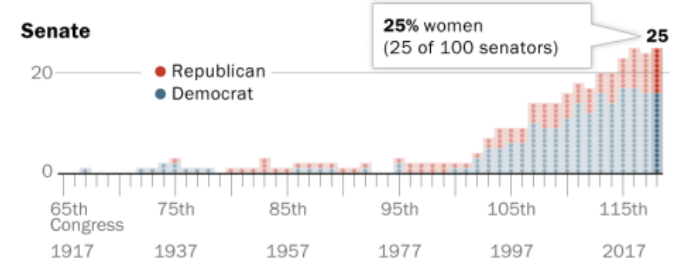
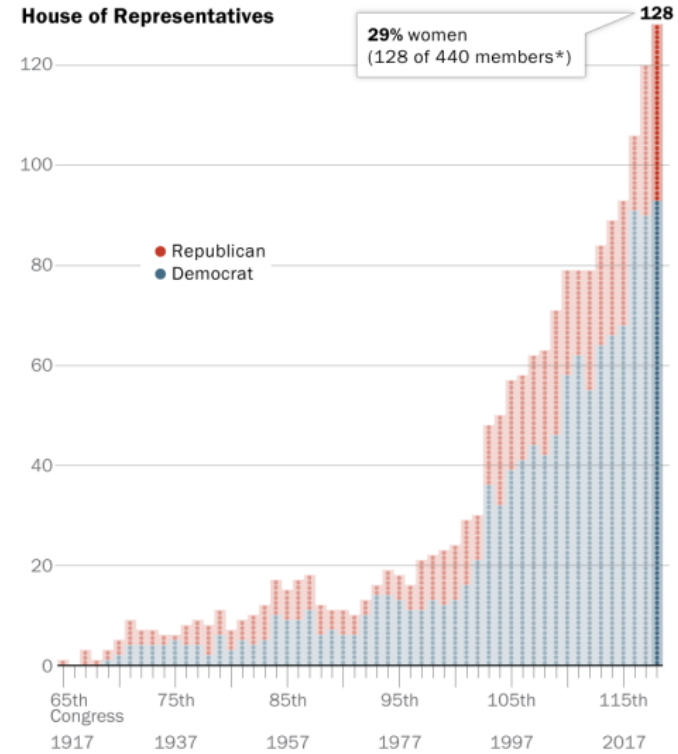


Note: The data does not include nonvoting delegates or commissioners. Figures for the 118th Congress are as of Jan. 3, 2023. Hispanics are of any race. Members who have more than one racial or ethnic identity for the above groups are counted in each applicable group. Figures for the 117th Congress were as of Jan. 26, 2021.

Source: Congressional Research Service, CQ Roll Call, Brookings Institution.

Women make up more than a quarter of the 118th U.S. Congress' membership

Women members of Congress, by party



* Analysis based on voting and nonvoting members sworn in as of Jan. 3, 2023. Sources: Biographical Directory of the United States Congress; U.S. House of Representatives, Office of the Historian; Women in the United States Congress, 1917-2014 (Congressional Research Service); CQ Roll Call; The Associated Press and news sources.

2023 ACP Public Policy Priorities



How we work...

Congressional
Advocacy &
Legislation

Administratio
n Advocacy &
Regulations

New Policy
Development

Communications

Member/
Chapter
Engagement/
State Advocacy

Practice
Support/
Education

ACP Strategic Priority Themes

ACP Public Policy

NOTE: Judicial advocacy is another avenue of our work, but not as large of a “bucket” – could be considered as part of our state advocacy (although it is not limited to that area).

Membership Growth and Engagement

Goal: Engage more members in College activities and increase ACP membership, value and pride through a focus on members within 5 years of residency graduation

Valued Professional Identity

Goal: Increase enthusiasm and pride about being an internist, and about the value IM specialists and subspecialists bring to healthcare, through increased visibility

Diversity, Equity and Inclusion

Goal: Achieve a just, equitable and inclusive culture at ACP by promoting and advancing DEI values through intentional initiatives, policies and actions to be anti-racist

Innovation and Strategic Alignment

Goal: Align activities and resources with strategic priorities to leverage and enhance ACP's potential to deliver new, valuable and relevant programs and products

ACP's Priority Themes



Policy Prioritization Approach



ACP Policy Priorities for 2023



- ACP policy priorities are based on policies approved by Governance.
- ACP identifies 10 issues as priorities in 2023.
- ACP staff advocates for priorities as opportunities arise, political climate, bipartisan support or can be attached as amendment or rider to something that might pass, such as a spending bill.
- Some issues, such as women's reproductive health, firearm safety and scope of practice, will see more action at the state level.

ACP Policy Priorities for 2023



- Behavioral Health
- Health Care Access and Coverage – focus on Medicaid and telehealth
- Physician Payment and Delivery System Reform
- Patients Before Paperwork – focus on prior authorization reform
- Health and Workforce Equity – as a cross-cutting and standalone issue
- COVID-19 and Public Health Preparedness
- Prescription Drug Affordability
- Firearm Violence Prevention
- Reproductive Health Care
- Climate Change

ACP Advocacy Resources



Advocacy Toolkits for ACP Members

Advocacy

[Where We Stand](#)

[ACP Advocate Newsletter](#)

[Advocates for Internal Medicine Network](#)

[State Health Policy](#)

[ACA Enrollment](#)

[Education & Events](#)

[Advocacy Services and Support](#)

[Advocacy in Action](#)

[Current Public Policy Papers](#)

[ACP Policies & Recommendations](#)

[HOME](#) > [ADVOCACY](#) > [STATE HEALTH POLICY](#)

State Health Policy

ACP's State Health Policy program helps internal medicine physicians gain influence in their state capitols on issues affecting them and their patients. Learn more below about key policy issues impacting states, how ACP members can take action, and other available tools and resources.

- [Understanding Advocacy and Why We Do It: A Comprehensive Toolkit](#) (ACP member login required)
- [ACP's Vision for the U.S. Health Care System](#)
- [Education and Events](#)
- [Advocacy Services and Support from the Washington Office](#)
 - [Questionnaire: Advocacy Assistance Request Form](#)

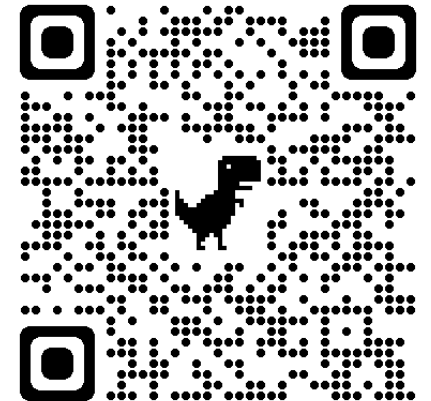
SPOTLIGHT BRIEF – Toolkit: Reproductive Health: The Impact of the U.S. Supreme Court Striking Down Roe v. Wade

In the wake of the U.S. Supreme Court decision to overturn Roe v. Wade, ACP has prepared this toolkit to assist ACP members in navigating issues surrounding abortion rights and related policies in their state. For members wishing to engage on this issue and take action at the state level, you can access the campaign and materials here. [Read Brief](#)

MORE RESOURCES

- [An Update to ACP's Women's Health Policy in the United States](#) (5/23/2022)
- [Women's Health Policy in the United States: An American College of Physicians Position Paper](#) (11/19/2008)
- [More Than 75 Health Care Organizations Release Joint Statement in Opposition to Legislative Interference](#) (7/7/2022)

- ✓ [Public Health](#)
- ✓ [Social Justice Reform](#)
- ✓ [Physician Payment and the Practice Environment](#)



Urge Congress to Support Medicaid/Medicare Payment Parity for Primary Care!

Internal medicine physician specialists providing primary and comprehensive care continue to face significant financial pressures as a result of the COVID-19 global pandemic but also because Medicare, Medicaid and other payers have long undervalued evaluation and management (E/M) services (office visits and other non-procedural services). Even before the pandemic, physician practices faced increasing costs and payments that did not keep up with inflation.

ACP supports legislation that has been introduced in both chambers of Congress that would provide pay parity for primary care services under Medicare and Medicaid. View joint letters of support for [H.R. 1025](#) (the *Kids Access to Primary Care Act*) and [S. 1833](#) (the *Ensuring Access to Primary Care for Women and Children Act*). Despite the titles of the bills, the pay parity for primary care services would apply to all adult patients as well as children. We are urging AIMn members to engage with us, as part of a broad-based coalition effort, and urge their members of Congress to cosponsor these bills and pass them in both chambers. This was one of



Write



Tweet



Call

Compose Your Message

- Senator Ben Cardin
- Senator Chris Van Hollen Jr.
- Representative Jamie Raskin

Subject

Support Medicaid/Medicare Payment Parity for

Message Body

Please add your own story about this issue to personalize your message

Support Medicaid/Medicare Payment Parity for Primary Care!

Review Your Profile

[Not David?](#)

Your Information



Advocates for Internal Medicine Network



Join more than 15,000 colleagues in the Advocates for Internal Medicine Network (AIMn) in advocating for the interests of internal medicine in Washington, D.C. The AIMn program is for ACP members interested in participating in federal advocacy. It is designed to help members engage with their federal lawmakers on policy issues important to ACP and internal medicine.

Follow [@AdvocatesIM](#)

Enroll Now 



Save the Date: 2023 ACP Leadership Day



May 23-24, 2023 – Washington, DC

Thank you!
We look forward to your questions.