## **Ensure Fair Payment**

## **Medicare Anesthesia Payment**

**ISSUE:** Ensure fair payment by holding anesthesiology payments harmless to SGR cuts, repealing IPAB, and supporting perioperative pilot innovation projects.

**KEY POINTS:** ASA opposes Medicare Part B physician payment cuts and supports reform of Medicare anesthesia payments.

#### **KEY POINTS:**

- Anesthesiologists, long recognized as the leaders in patient safety, are unfairly paid through Medicare at the lowest rate among all health professionals at only 33 cents on the dollar, as compared to private payment rates.
- The non-elected and largely unaccountable Independent Payment Advisory Board (IPAB) will have sweeping powers to mandate across-the board payment or other cuts on top of SGR cuts.
- Anesthesiology services are not driving volume or growth in Medicare spending to any significant degree, and yet they would be harmed by SGR cuts at the same rate as those services that are driving costs.

#### **CONGRESSIONAL REQUEST**

- Please cosponsor and support passage of H.R. 452, "Medicare Decisions Accountability Act of 2011," and S. 668/S. 2118, "Health Care Bureaucrats Elimination Act" (IPAB repeal bills).
- Oppose SGR cuts and hold Medicare anesthesiology payments harmless.
- Support Perioperative Surgical Home™ model projects to increase care coordination.

## **Expand Access**

## **Rural Pass-through**

**ISSUE:** Expand patient access to physician anesthesiology services in rural areas

H.R. 1044 [Reps. Jenkins (R-KS), Cuellar (D-TX) and Akin (R-MO)]

#### **KEY POINTS:**

- Low Medicare Part B anesthesia payments and low patient volume in rural areas make it difficult for rural hospitals to retain anesthesia providers.
- Current law allows some rural hospitals to use the cost-based Medicare Part A "pass-through" arrangement to pay for the services of anesthesiologist assistants and nurse anesthetists. According to CMS, the "pass-through" arrangement cannot be used by anesthesiologists.
- In 2010, ASA, through formal comment, requested that CMS permit rural hospitals to use the rural pass-through arrangement for anesthesiologists, as well as the other providers. CMS responded that it cannot permit hospitals to use the pass-through arrangement for anesthesiologists without a change in the current law.

#### **CONGRESSIONAL REQUEST**

- Please cosponsor and pass H.R. 1044 and Senate companion legislation that would extend rural hospitals' use of Medicare's pass-through arrangement to anesthesiologists.
- Extending the pass-through arrangement to anesthesiologists would allow eligible rural hospitals to utilize the rural incentive payment for all types of anesthesia providers.
- In rural hospitals, there is an acknowledged shortfall of physician health care providers. By extending the passthrough, rural hospitals could more readily recruit and retain anesthesiologists to provide physician anesthesia services in rural areas.

## **Ease Drug Shortages**

## **Anesthesia Drug Shortages**

**ISSUE:** Address the growing number of drug shortages in anesthesia and other medical specialties that are negatively impacting the quality of patient care.

#### **KEY POINTS:**

- Physicians are seeing an unprecedented increase in the number of drugs going into shortage, including critical life-saving medications indispensible to safe surgery and pain medicine.
- Drug shortages are resulting in the delay of needed medical treatments, the cancellation of elective surgeries, and in some cases death.
- Because of the multi-factorial nature of drug shortages, multiple actions are needed to help prevent future shortages.

#### **CONGRESSIONAL REQUEST**

 Please support moving legislative provisions or bills in the House and Senate to help avert drug shortages through enhanced notification and other requirements.

## **Empower Patients**

#### **Truth and Transparency**

**ISSUE:** Empower patients with accurate information for smarter health care decisions

H.R. 451, the "Health Care Truth and Transparency Act," [Reps. Sullivan (R-OK) and Scott (D-GA)]

**KEY POINTS:** ASA supports needed legislation to ensure patients have accurate information to make wise and cost-conscious health care decisions

- Patients lack information about the wide variety of individuals who work in health care settings, and they are confused by the increasing ambiguity of health care provider-related advertisements, marketing and degree titles.
- Because of this lack of information, patient autonomy and decision-making have been compromised.
- Accurate information empowers patients with an improved understanding of the health care delivery system.
- There is a need for application of Federal Trade Commission (FTC) Act patient safety protections to the new health care marketplace.

#### **CONGRESSIONAL REQUEST**

- Cosponsor and pass H.R. 451, "Health Care Truth and Transparency Act," and introduce and support a Senate companion.
- Enhance cost-conscious patient decision-making with accurate information about health care providers and ensure clarity in health care provider-related advertisements and marketing.

## American Society of Anesthesiologists

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# Legislative 2012 Conference

April 30 - May 2, 2012 J. W. Marriott Hotel Washington, D.C.

# **Key Issues**

- ENSURE FAIR PAYMENT
- EXPAND ACCESS
- EASE DRUG SHORTAGES
- EMPOWER PATIENTS



Anesthesiologists: Physicians providing the lifeline of modern medicine. Founded in 1905, the American Society of Anesthesiologists is an educational, research and scientific association with 46,000 members organized to raise and maintain the standards of the medical practice of anesthesiology and improve the care of the patient.

For more information, visit the American Society of Anesthesiologists website at **www.asahq.org**.