July 22, 2020

The Honorable Seema Verma Administrator Centers for Medicare & Medicaid Services U.S. Department of Health and Human Services Hubert H. Humphrey Building, Room 445-G 200 Independence Avenue, SW Washington, DC 20201

Dear Administrator Verma:

The undersigned organizations represent the hundreds of thousands of physicians who provide care for our nation's Medicare patients every day. We are writing to strongly support the Centers for Medicare & Medicaid Services (CMS) decision to temporarily waive certain regulatory requirements during the COVID-19 pandemic. These temporary waivers, in extraordinary circumstances, have empowered physicians and non-physician health care professionals to focus on their patients and prevented a collapse of the health care system in the hardest hit areas of the country. However, we urge CMS to sunset the waivers involving scope of practice and licensure when the public health emergency (PHE) concludes.

To our dismay, it is our understanding that some organizations have already been advocating to make the temporary waivers permanent—permanently diminishing physician oversight and supervision of patient care. While we are greatly appreciative of CMS' rapid and substantial removal of regulatory barriers to allow physicians to continue providing care during the PHE, we also strive to continue to work with CMS to support patient access to physician-led care teams during and after the PHE. Throughout the coronavirus pandemic, physicians, nurses, and the entire health care community have been working side-by-side caring for patients and saving lives. Now more than ever, we need health care professionals working together as part of physician-led health care teams.

The pandemic has forced health care systems to reassess how they allocate human resources. Non-essential surgeries have been postponed or cancelled during the pandemic in response to government directives and the necessity for greater flexibility to deploy physicians and other health care professionals to where the need is greatest. As a result, CMS has temporarily relaxed the direct oversight and licensure requirements to allow health care systems to stretch their capacity to treat more patients. While these measures are temporary and limited to the duration of the PHE, **our organizations reaffirm our support for the physician-led team-based approach to care and vigorously oppose efforts that undermine the physician-patient relationship during and after the pandemic.**

With seven or more years of postgraduate education and more than 10,000 hours of clinical experience, physicians are uniquely qualified to lead health care teams. By contrast, nurse practitioners (NPs) must complete only two to three years of graduate level education and 500-

720 hours of clinical training. Physician assistant (PA) programs are two years in length and require 2,000 hours of clinical care. NPs and PAs are integral members of the care team, but the skills and acumen obtained by physicians throughout their extensive education and training make them uniquely qualified to oversee and supervise patients' care. Physician-led team-based care has a proven track record of success in improving the quality of patient care, reducing costs, and allowing all health care professionals to spend more time with their patients.

Accordingly, the undersigned urge CMS to sunset the waivers involving scope of practice and licensure when the PHE concludes. At a minimum, CMS should postpone any efforts to make these waivers permanent until after the conclusion of the PHE, and pursue such permanent waivers through notice-and-comment rulemaking. This will allow for a thorough and deliberate policy making process that ensures all stakeholders, including patients, are heard and give time for CMS to study the impact of the scope of practice waivers' on the cost and quality of patient care. We are happy to work with the agency on such studies and to ensure a seamless transition following the PHE.

The undersigned organizations believe that policymakers serve patients best by supporting physician-led team-based care that makes the most of the respective education and training of physicians and non-physician health professionals as part of a collaborative framework. Patients deserve to have a physician leading their team, whether that is for the treatment and management of chronic conditions, or for surgery. To that end, **the undersigned urge CMS to preserve the highest quality of care by preserving the physician-patient relationship and physician-led team-based care.**

Sincerely,

American Medical Association American Academy of Child & Adolescent Psychiatry American Academy of Dermatology Association American Academy of Emergency Medicine American Academy of Facial Plastic and Reconstructive Surgery American Academy of Family Physicians American Academy of Neurology American Academy of Ophthalmology American Academy of Otolaryngic Allergy American Academy of Otolaryngology- Head and Neck Surgery American Academy of Pediatrics American Academy of Physical Medicine and Rehabilitation American Association for Hand Surgery American Association for Physician Leadership American Association of Clinical Urologists American Association of Hip and Knee Surgeons

> American Association of Neurological Surgeons American Association of Orthopaedic Surgeons American College of Allergy, Asthma and Immunology American College of Emergency Physicians American College of Medical Genetics and Genomics American College of Osteopathic Internists American College of Osteopathic Surgeons American College of Radiation Oncology American College of Radiology American College of Surgeons American Gastroenterological Association American Medical Women's Association American Osteopathic Association American Psychiatric Association American Society for Aesthetic Plastic Surgery American Society for Clinical Pathology American Society for Dermatologic Surgery American Society for Gastrointestinal Endoscopy American Society for Laser Medicine and Surgery American Society for Radiation Oncology American Society for Regional Anesthesia and Pain Medicine American Society for Surgery of the Hand American Society of Cataract & Refractive Surgery American Society of Dermatopathology American Society of Echocardiography American Society of Neuroradiology American Society of Plastic Surgeons American Urological Association American Vein & Lymphatic Society American Academy of Ophthalmology College of American Pathologists **Congress of Neurological Surgeons** Heart Rhythm Society National Association of Medical Examiners North American Neuromodulation Society North American Spine Society **Outpatient Endovascular & Interventional Society Renal Physicians Association** Society of Interventional Radiology Spine Intervention Society

> > Medical Association of the State of Alabama Arizona Medical Association Arkansas Medical Society

> California Medical Association Colorado Medical Society **Connecticut State Medical Society** Medical Society of Delaware Medical Society of the District of Columbia Florida Medical Association Inc Medical Association of Georgia Hawaii Medical Association Idaho Medical Association Illinois State Medical Society Indiana State Medical Association Iowa Medical Society Kansas Medical Society Kentucky Medical Association Louisiana State Medical Society Maine Medical Association MedChi, The Maryland State Medical Society Massachusetts Medical Society Michigan State Medical Society Minnesota Medical Association Mississippi State Medical Association Missouri State Medical Association Montana Medical Association Nebraska Medical Association Nevada State Medical Association Medical Society of New Jersey New Mexico Medical Society Medical Society of the State of New York North Dakota Medical Association Ohio State Medical Association **Oklahoma State Medical Association** Pennsylvania Medical Society Rhode Island Medical Society South Carolina Medical Association South Dakota State Medical Association Tennessee Medical Association **Texas Medical Association** Utah Medical Association Vermont Medical Society Medical Society of Virginia Washington State Medical Association

> West Virginia State Medical Association Wisconsin Medical Society Wyoming Medical Society