



November 27, 2023

The Honorable Mark Green, MD
U.S. House of Representatives
2446 Rayburn House Office Building
Washington, D.C. 20515

Subject: Support for Reducing Medically Unnecessary Delays in Care Act

Dear Representative Green:

The Regulatory Relief Coalition (RRC), a coalition of national physician specialty organizations seeking to reduce regulatory burdens that interfere with patient care, is pleased to support H.R. 5213, the *Reducing Medically Unnecessary Delays in Care Act of 2023*. As a leading advocate for reforming prior authorization in the Medicare Advantage (MA) program and on behalf of the more than 30 million seniors and the physicians who care for them, the RRC applauds your leadership on this legislation to improve the prior authorization process in Medicare, MA, and Medicare Part D plans.

The RRC greatly appreciates your commitment to ensuring that MA policies are not a barrier to timely and equitable access to care for the patients our members serve. We understand that your bill would reform prior authorization in Medicare, MA, and Part D by requiring that all prior authorizations and adverse determinations must be made by a licensed physician who is board certified in the specialty relevant to the health care item or service requested. It would also require plans to create policies based on medical necessity and written clinical criteria.

RRC members agree that only qualified medical personnel — ideally providers of the same medical specialty or subspecialty as the prescribing/ordering physicians — should make these decisions. Furthermore, we agree that prior authorization decisions should reflect evidence-based guidelines consistent with national medical specialty society guidelines where available and applicable. This said, it is essential that the legislation also recognizes that there are two pathways to board certification in a medical specialty: certification through the American Board of Medical Specialties and board certification through the American Osteopathic Association. We ask that you revise the legislative text to ensure that all physicians who are experts in their respective specialties, regardless of their type of medical degree or the certifying board they choose, are consulted to ensure the best outcomes for patients.

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As Congress considers legislation to reform prior authorization in the MA program, including your bill, we look forward to working with you to protect patients from unnecessary delays in care by enacting these prior authorization reforms into law.

Again, thank you for introducing this important legislation to reduce regulatory burdens in Medicare to improve care quality for seniors. Please feel free to contact Peggy Tighe at Peggy.Tighe@PowersLaw.com for any assistance.

Sincerely,

RRC Members

American Academy of Dermatology Association
American Academy of Family Physicians
American Academy of Ophthalmology
American Academy of Physician Medicine and Rehabilitation
American Association of Neurological Surgeons
American College of Cardiology
American College of Rheumatology
American Gastroenterological Association
American Osteopathic Association
Association for Clinical Oncology
Congress of Neurological Surgeons
Medical Group Management Association
National Association of Spine Specialists

Allies

American Medical Rehabilitation Providers Association