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ACEP Responds to Senate Committee's Pandemic White Paper

Today, ACEP submitted its [response](#) to the Senate Health, Education, Labor, and Pensions (HELP) Committee regarding its "Preparing for the Next Pandemic" [white paper](#). The document focused on five recommended areas where Congress should work with federal departments and agencies, states, and the private sector to address related issues and newly identified gaps. The five fields of discussion included:

1. Tests, Treatments, and Vaccines – Accelerate Research and Development
2. Disease Surveillance – Expand Ability to Detect, Identify, Model, and Track Emerging Infectious Diseases
3. Stockpiles, Distribution, and Surges – Rebuild and Maintain Federal and State Stockpiles and Improve Medical Supply Surge Capacity and Distribution
4. Public Health Capabilities – Improve State and Local Capacity to Respond
5. Who Is on the Flagpole? – Improve Coordination of Federal Agencies During a Public Health Emergency

Senate HELP Committee Chairman Lamar Alexander (R-TN) has stated he will share the responses with his Republican and Democratic colleagues and hopes to use this document, as well as the solicited feedback, to potentially draft new legislation before the end of the year.

Senate Committee Conducts Hearing on Pandemic

On Tuesday, the Senate HELP Committee held a hearing on lessons learned to prepare for the next pandemic. While there was general, bipartisan support for further congressional action to address COVID-19, different aspects of the pandemic were emphasized by each party, such as the location of manufacturing, racial disparities, federal guidance, and whether federal or state control should be the primary feature to the response.

ACEP member Joneigh Khaldun, MD, MPH, FACEP, Michigan's Chief Medical Executive and Chief Deputy Director for Health, was one of the witnesses at the hearing and much of her comments focused on racial disparities, PPE and testing shortages, and the need for additional support and resources for public health.



Dr. Khaldun testifies before the Senate HELP Committee.

Other witnesses at the hearing included Bill Frist, MD, former U.S. Senate Majority Leader; Julie Gerberding, MD, MPH, Executive Vice President and Chief Patient Officer, Merck & Co.; and Governor Mike Leavitt, former U.S. Secretary of HHS.

To view the hearing, [click here](#).

House Committee Looks at Administration Response to COVID-19

On Tuesday, the House Energy and Commerce Committee held a hearing to examine the Trump Administration's response to COVID-19. Not surprisingly, Democrats generally criticized the Administration's response and called for more public science and data regarding the virus while Republicans defended the White House's actions and emphasized the need to re-open the country. Witnesses included Anthony Fauci, MD, Director of NIAID; ADM Brett Giroir, MD, HHS Assistant Secretary for Health; Stephen Hahn, MD, FDA Commissioner; and Robert Redfield, Director of CDC.

To view the hearing, [click here](#).

NEMPAC-supported candidate Dr. Cameron Webb Wins Primary in VA-05

In our continued coverage of physician congressional candidates in 2020, we feature Dr. Cameron Webb, who won the democratic primary on June 23 in Virginia's fifth congressional district. Dr. Webb received his medical and law degrees from the University of Virginia, located in the district. He later served on the White House Health Care Team and also worked on President Obama's My Brother's Keeper Initiative, where he helped tackle issues in education, workforce development and criminal justice reform. Dr. Webb currently treats patients as a general internist in Charlottesville, VA, teaches students and serves as the Director of Health Policy and Equity at UVA's School of Medicine. His wife, Dr. Leigh-Ann Webb, is an ACEP member who grew up in Appomattox County, VA.

In the November general election, Dr. Webb will face Bob Good who won the Republican convention, defeating incumbent Rep. Denver Riggleman. For more information about Dr. Webb's campaign, [click here](#).

Don't Miss Out: NEMPAC Charity Match!

With just one contribution to NEMPAC in the month of June, you can support political engagement on behalf of emergency physicians and a charity to benefit COVID-19 relief efforts. ACEP will match your

NEMPAC contribution at 10 cents on every dollar to one of three charities you designate: GetUsPPE, Emergency Medicine Foundation (EMF) or American Foundation for Suicide Prevention (AFSP). Don't delay as this opportunity ends on June 30.

[Click here](#) to make your donation and select a charity!

NEMPAC VIP Donor "Virtual Happy Hour" Series

Mark your calendar for the next NEMPAC VIP Donor "Virtual Happy Hours" on Thursday, July 9th with special guest Sen. Bill Cassidy (R-LA) and Thursday, July 23rd with special guest Rep. Raja Krishnamoorthi (D-IL-08). All VIP donors will receive an invitation by email. Not sure of your VIP status? [Click here](#) to contact us to check your donation status or [click here](#) to renew.

Help Eliminate Barriers to Physician Mental Health Care

ACEP is committed to eliminating obstacles to EM physicians seeking mental health care. By anonymously sharing your story, you can help inform and further ACEP's advocacy efforts to remove the existing barriers to seeking treatment, including fears surrounding licensure and credentialing, and better encourage professional support and non-clinical mental health initiatives, such as peer support. [Share your experience here.](#)

Regs & Eggs: ACEP's Alternative Payment Model Strategic Initiative-- An Update and Next Steps

While ACEP is still actively working on [COVID-19-related issues](#), including pushing HHS to provide emergency physicians with more funding through the [Provider Relief Fund](#), this week's Regs & Eggs blog provides an update on our important work to promote the first, and only, emergency medicine-focused alternative payment model (APM), the Acute Unscheduled Care Model (AUCM)—fondly pronounced "awesome." As described in a [previous blog post](#), ACEP started an initiative late last year to promote participation in emergency medicine-focused APMs that are based on the AUCM. [Click here](#) to read this week's Regs & Eggs blog.

CMS Updates Guidance on the Merit Based Incentive Payment System (MIPS)

This week, the Centers for Medicare & Medicaid Services (CMS) [announced](#) some needed relief to Merit-based Incentive Payment System (MIPS) reporting requirements. MIPS is the major quality reporting program in Medicare for physicians.

For the current 2020 performance period, you can now submit an application to have your MIPS Quality, Cost, Improvement Activities, and/or Promoting Interoperability performance categories reweighted to zero percent due to COVID-19. Specifically, if the COVID-19 pandemic prevents you or your group from collecting 2020 MIPS performance period data for an extended period of time, or could impact your performance on cost measures, you can submit **an extreme and uncontrollable circumstances application through December 31, 2020**. If you submit a hardship exception application for all four MIPS performance categories, and your application is approved, you will be held harmless from a payment adjustment in 2022—meaning that you will not be eligible for a bonus or potentially face a penalty based on your MIPS performance in 2020. For more information on submitting a hardship exemption for the 2020 performance period, please go to CMS' website [here](#).

This MIPS relief was one of the major requests that ACEP included in our [letter to the Secretary of the Department of Health and Human Services \(HHS\)](#) on March 13th.

CMS Releases Medicare COVID-19 Data

On Monday, CMS [released](#) data on the impact of COVID-19 on Medicare beneficiaries, emphasizing that older Americans and those with chronic health conditions are at the highest risk for COVID-19. CMS also indicated that the data confirms long-understood disparities in health outcomes for racial and ethnic minority groups and among low-income populations. Further, the agency announced that it is developing guidance for states on new opportunities to adopt innovative, value-based payment design and implement strategies to address social determinants of health for their beneficiaries including dual eligible beneficiaries.

The data CMS released covers the total number of reported COVID-19 cases and hospitalizations among Medicare beneficiaries between January 1 and May 16, 2020. Key findings include:

- Over 325,000 Medicare beneficiaries had a diagnosis of COVID-19 or 518 COVID-19 cases per 100,000 Medicare beneficiaries.
- Blacks were hospitalized with COVID-19 at a rate nearly four times higher than whites.
- The disparities presented in the snapshot go beyond race/ethnicity and suggest the impact of social determinants of health, particularly socioeconomic status.

ACEP Responds to DEA Interim Final Rule on Electronic Prescribing for Controlled Substances

ACEP [responded](#) to a request for comments on the Electronic Prescriptions for Controlled Substances Interim Final Rule (IFR). This rule was released 10 years ago, but the Drug Enforcement Administration (DEA) decided to reopen the rule for comments. While many of the questions the DEA poses now are targeted towards facilities and electronic health record (EHR) vendors, ACEP provided responses to many of them based on the specific experiences of emergency physicians—highlighting the unique role that they play in the health care system.

Please note: There will not be a Weekly Update next week due to the July 4th holiday. The ACEP advocacy team wishes you a happy and safe Fourth of July!

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