



In this Issue:

Legislative News:

- [ACEP Continues Efforts to Eliminate ED E/M Cuts](#)
- [Federal Fiscal Year Deadline Approaching](#)
- [Senate HELP Committee Holds Hearing on COVID-19 Vaccines](#)

Political Advocacy News:

- [ACEP 2020 Voter Resource Center](#)
- [NEMPAC Charity Match](#)

Regulatory News:

- [Regs & Eggs Blog: President Trump Issues Yet Another Executive Order on Drug Prices](#)
 - [ACEP Regulatory Affairs Director Participates in a PTAC Panel Discussion on the Role of Telehealth in Alternative Payment Models](#)
 - [CMS Issues Guidance to States on Medicaid Provider Value Based Payments](#)
 - [HHS and DoD Releases COVID-19 Vaccine Distribution Strategy](#)
 - [The CDC Revises Testing Guidance Again](#)
- [ACEP20 Unconventional Features 250+ Courses, Special Guest Dr. Anthony Fauci](#)

ACEP Continues Efforts to Eliminate ED E/M Cuts

Recently, the Centers for Medicare & Medicaid Services (CMS) issued its proposed 2021 Medicare physician fee schedule (PFS). Thanks to sustained ACEP advocacy, we were successful in securing an approximately 3 percent increase for ED E/M codes. Unfortunately, CMS' budget neutrality rules require that the substantial reimbursement increases slated for primary care E/M codes necessitates a corresponding decrease in the value of all other codes – ultimately meaning that our hard-won increase was canceled out by CMS rules.

Immediately after the rule was released, ACEP sent a letter to Congress sharing our concerns asking them to help alleviate these cuts. Several legislators have taken notice and have begun working on bipartisan efforts to prevent these cuts. Representatives Roger Marshall (R-KS) and Bobby Rush (D-IL) are circulating a sign-on letter to HHS Secretary Alex Azar and CMS Administrator Seema Verma asking them to delay or mitigate the impending cuts. **We need you to urge your member of Congress to sign on to this new bipartisan letter supporting action by CMS. [Click here to send a message to your legislator today!](#)**

Additionally, Representatives Ami Bera (D-CA) and Larry Bucshon (R-IN) are developing legislation aimed at addressing these cuts, and we will keep you informed as we work with these legislators and as more details become available.

Federal Fiscal Year Deadline Approaching

Fiscal Year 2021 ends on Sept. 30 and Congress is working on a Continuing Resolution to keep the federal agencies and programs running to avoid a government shutdown. Weeks ago, the Trump Administration and Speaker of the House Nancy Pelosi (D-CA) agreed that a "clean" CR should be enacted before FY 21 expires. However, the specifics of a deal have yet to be determined, including the length of the temporary funding and what potential other programs might be included. At this time, we expect the House to develop the bill and vote on it next week so that the Senate would still have a week to take action before the deadline. Given the implications of the November elections, there continues to be talk that Congress may break for an October recess as soon as this deal is concluded, although if progress were to be made on a fifth COVID relief package, lawmakers would be recalled on 24 hours' notice.

Senate Committee Reviews COVID Response

On Wednesday, the Senate Appropriations Labor-HHS-Education Subcommittee held a hearing to examine federal COVID programs. Witnesses included Robert Redfield, MD, Director of the CDC; Bob Kadlec, MD, HHS Assistant Secretary for Preparedness and Response (ASPR); and Admiral Brett Giroir, MD, HHS Assistant Secretary for Health.

Following the hearing, President Trump publicly disagreed with Dr. Redfield's assertion that masks may be more useful than a vaccine since some individuals would not get an immune response and that a vaccine wouldn't be widely available until the second or third quarter of 2021. President Trump countered that masks are not more effective than a vaccine and that the vaccine would be distributed "very rapidly."

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

ACEP 2020 Voter Resource Center

ACEP created a special tool to help you engage in the 2020 elections and beyond, the [ACEP 2020 Voter Resource Center](#), a non-partisan platform where you can easily check if you are registered to vote, learn how to vote early or request an absentee ballot, and see who is running in your area. You can also share with colleagues, family and friends. ACEP members can also access the [NEMPAC website](#) for information on how ACEP's political action committee is working on your behalf in the 2020 congressional elections.

NEMPAC Charity Match

While [making your contribution to NEMPAC](#), you will have the opportunity to select one of three COVID-19 related charities that ACEP will match 10 cents on every dollar of your donation. It is our way of thanking you for your support and giving back during these unprecedented times. Join your fellow ACEP members to support meaningful political and charitable involvement.

After making your donation online, you will be asked to select one of these charities for the match. Eligible charities are:

- [GetUsPPE.org](#)
- [Emergency Medicine Foundation/COVID-19 EM Research](#)
- [American Foundation for Suicide Prevention](#)

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

Regs & Eggs Blog: President Trump Issues Yet Another Executive Order on Drug Prices

Last week, President Trump issued an [executive order](#) aimed at controlling drug prices in Medicare Parts B and D. The executive order establishes as an administrative policy objective that the Medicare program should not pay more for costly Part B or Part D prescription drugs or biological products than the "most-favored-nation price."

Read the [Regs & Eggs blog](#) to learn more about the executive order and potential future regulations and demonstrations aimed at lowering drug prices.

ACEP Regulatory Affairs Director Participates in a PTAC Panel Discussion on the Role of Telehealth in Alternative Payment Models

On Wednesday, ACEP's Director of Regulatory Affairs, Jeffrey Davis, participated in a [panel](#) discussion hosted by the Physician-focused Payment Model Advisory Committee (PTAC) that focused on the role that telehealth can play in alternative payment models (APMs). The panel included individuals who represented groups that previously submitted APM proposals to the PTAC. Each of the proposals had a telehealth component in it.

Mr. Davis discussed how telehealth was incorporated into the [Acute Unscheduled Care Model \(AUCM\)](#)—ACEP's APM that was previously reviewed and heavily recommended by the PTAC back in 2018. The AUCM includes a telehealth waiver that allows emergency physicians to bill for follow-up telehealth services when the beneficiaries have been discharged from the emergency department (ED) and are at home. The use of telehealth can improve patient outcomes and lower costs by helping to ensure that patients discharged from the ED are appropriately following their discharge

plan and receiving any additional services that may be necessary to prevent a trip back to the ED or an inpatient admission.

Mr. Davis also discussed the increased use of telehealth during the COVID-19 public health emergency (PHE) and what needs to happen going forward to eliminate existing barriers to telehealth. All in all, there is so much potential to increase value in the healthcare system by getting emergency physicians engaged in the care-continuum for patients—and, telehealth is a key tool to help accomplish this goal.

CMS Issues Guidance to States on Medicaid Provider Value Based Payments

On Tuesday, the Centers for Medicare & Medicaid Services (CMS) issued [guidance](#) to state Medicaid directors to advance the adoption of value-based care strategies across healthcare systems and align provider incentives across payers. The guidance includes information for states in shifting providers to value-based payment models, such as bundled payment and total cost of care approaches. There is no specific mention of emergency department care in the guidance, but any value-based payment reforms states make to their Medicaid programs could potentially impact emergency services.

HHS and DoD Releases COVID-19 Vaccine Distribution Strategy

On Wednesday, the Department of Health and Human Services (HHS), along with the Department of Defense (DoD), [announced](#) the administration's strategy for delivering COVID-19 vaccine doses to the American people "as quickly and reliably as possible." Specifically, HHS and DoD released a strategic distribution overview along with an interim playbook for state, tribal, territorial, and local public health programs and their partners on how to plan and operationalize a vaccination response to COVID-19 within their respective jurisdictions.

Overall, HHS outlines the following four tasks as necessary for the COVID-19 vaccine program:

- Continue engaging with state, tribal, territorial, and local partners, other stakeholders, and the public to communicate public health information, before and after distribution begins, around the vaccine and promote vaccine confidence and uptake.
- Distribute vaccines immediately upon granting of Emergency Use Authorization/Biologics License Application, using a transparently developed, phased allocation methodology.
- Ensure safe administration of the vaccine and availability of administration supplies.
- Monitor necessary data from the vaccination program through an information technology (IT) system capable of supporting and tracking distribution, administration, and other necessary data.

The CDC Revises Testing Guidance Again

Today, the Centers for Disease Control and Prevention (CDC) [revised its testing guidance once](#) again, stating that "due to the significance of asymptomatic and pre-symptomatic transmission, this guidance further reinforces the need to test asymptomatic persons, including close contacts of a person with documented SARS-CoV-2 infection." This latest revision to the guidance comes after the CDC received significant push-back last month for altering testing guidance to state that all asymptomatic individuals who were exposed to a person with COVID-19 did not necessarily have to get tested.

ACEP20 Unconventional Features 250+ Courses, Special Guest Dr. Anthony Fauci

The ACEP20 lineup is getting stronger every day! NAIAD Director Anthony Fauci, MD, will provide his unique perspective from the epicenter of the pandemic to kick off the ACEP20 opening session. Following Dr. Fauci's remarks, a panel of international emergency physicians will present "Lessons Learned: Global Response to COVID-19."

There has never been a better time for emergency medicine to come together than at ACEP20. Learn important clinical updates from your colleagues, including a track of 14 courses on Health Policy. Explore new tools and devices to help make your practice easier. And lift your heart as we collectively take the time to celebrate emergency medicine's achievements at this year's unconventional annual meeting, Oct. 26-29. ACEP20 will be so much more than a convention! [Learn more and register today!](#)

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ACEP Public Affairs | 2121 K Street, NW Suite 325 | Washington, DC 20037

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