2017 ACS Advocacy Update and the ACSPA-Surgeons PAC

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Montefiore Medical Center
What is the DAHP?

The Division of Advocacy and Health Policy works with federal and state decision makers to promote the interests of surgeons and surgical patients.
Issues of Importance to ACS

• Affordable Care Act
• MACRA/QPP
  — MIPS
  — APMs
• Global Surgical Payments
• Administrative Burdens and Regulations
• Performance Measurement
  — Phases of Surgical Care
  — PROs
• Interoperability
• State Surgical Resources Scorecards
• Trauma
• Cancer
• IPAB
• Appropriateness
• Medical Liability Reform
• Graduate Medical Education
• Medicaid Reform
• Out of Network
• Opioids
• Videotaping Operations
• Medicare Reform
• Uniform Emergency Volunteer Health Practitioners Act (UEVHPA)
• Third Party Payor
• Stark
• HIT
• Data Protection
• Veterans Affairs – privatization
• Burnout
• Disparities
• CMMI
• Definition of Surgery
• Creation of Surgical HPSA
• Concurrent Surgery
• Accreditation/ Bariatric
• Uniform Prior Authorization Forms
• Balance Billing
• Private Contracting
• Physician Owned Hospitals
• Telemedicine
• Rural (96 Hour)
• Pediatric – ACE kids
• CHIP
• Prescription Drug pricing
• Scope of Practice
• Collective Bargaining
• Mergers
• Anesthesia Surgical Home
Reimbursement/Payment

MACRA

- Education and Advocacy
  - What Fellows need to know
  - How we are working to improve MACRA (APMs and flexibility)

https://www.facs.org/advocacy/qpp
July 18, 2017

The Honorable Tom Price, MD
Secretary
U.S. Department of Health & Human Services
Hobart H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Price:

The American College of Surgeons (ACS) is a scientific and educational association of surgeons, founded in 1913, to improve the quality of care for the surgical patient by setting high standards for surgical education and practice. On behalf of the over 60,000 members of the ACS, we write to express concern with the substantial and unnecessary burdens imposed on physicians and their practices by certain existing regulations that negatively affect the delivery of care to patients covered under federal health insurance plans.

The ACS puts the welfare of our surgical patients above all else, and we support policies and regulations that improve patient care, reduce the administrative burdens placed on providers, and streamline workflow. Specifically, we ask the Department of Health and Human Services (HHS) to examine the following issues which are further described in the attached table, and to consider our recommended actions for regulatory relief.

- **Global opsite data collection**: Over the past seven months, the ACS has prioritized member education on this issue, but despite our best efforts there are still practitioners who do not understand this policy, and that they will be able to comply with the new data reporting requirements. CMS has not provided practitioners with detailed guidance on how the data will be used. If the current CMS solutions to providers are not robust enough to accurately inform patients and

- **MIPS benchmarking**: MACRA requires that, starting in 2019, the MIPS performance scores of MACRA composite providers will be based on approximately half of all Part B measurement science. Our concern with this policy is that the current CMS solutions
The Independent Payment Advisory Board (IPAB)

**IPAB Repeal Legislation**

H.R. 849: Roe, MD (R-TN) and Ruiz, MD (D-CA)
S. 260: Cornyn (R-TX) / S. 251 Wyden (D-OH)

The IPAB is a board of 15 unelected members who are required to make Medicare spending cuts in the event that the expected per capita growth rate in Medicare exceeds the target growth rate

- The IPAB repeal legislation would simply strike the language that created the IPAB, providing stability for physicians and the Medicare patients they treat

**Action in Congress:**

- On November 2, 2017 the House passed H.R. 849 by a vote of 307-111

**Future steps:**

- H. R. 849 is now awaiting consideration in the Senate
General Surgery Workforce

Ensuring Access to General Surgery Act

H.R. 2906: Bucshon, MD, FACS (R-IN) and Bera, MD (D-CA)
S. 1351: Grassley (R-IA) Schatz (D-HI)

• Directs the Secretary of the HHS to conduct a national study to identify and define general surgery workforce shortage areas

• Provides the Secretary the authority to designate general surgery shortage areas based on the data collected
Bipartisan issue, high priority in Congress and states:

- More than 65 bills in Congress
- 400+ bills in 46 states

ACS assessing support for action with appropriate treatment

Some Proposed Solutions:

- Limits on opioid prescriptions (dosage or days)
- Enhancements to Prescription Drug Monitoring Programs (PDMPs)

ACS’ Opioid Statement – August 2017
Medical Liability Reform

Saving Lives, Saving Costs Act (H.R. 1565)

Access Act (H.R. 1215)
- Passed the House in June 2017 by a vote of 218-210

Good Samaritan Health Professionals Act (H.R. 1876 / S. 781)

Health Care Safety Net Enhancement Act (H.R. 548/S. 527)
ACS and Health Care Reform

Health Care Reform Principles

1. Quality and Safety
2. Patient Access to Surgical Care
3. Reduction of Health Care Costs
4. Medical Liability Reform
Why ACSPA-SurgeonsPAC?

• Advocate
• Congress
• Support
• Participate
• Action
Your Contribution Matters

<table>
<thead>
<tr>
<th>2015-2016 TOTAL RECEIPTS</th>
<th>2015-2016 TOTAL DISBURSEMENTS</th>
<th>2017 TOTAL RECEIPTS</th>
<th>2017 TOTAL DISBURSEMENTS</th>
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<tr>
<td>$1,246,807</td>
<td>$1,226,690</td>
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<td>$324,670</td>
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**Disbursement Activity**

<table>
<thead>
<tr>
<th>Congressional Candidates Supported</th>
<th>2017 Total Disbursements in Line with Congressional Party Ratios</th>
</tr>
</thead>
<tbody>
<tr>
<td>70+</td>
<td>39% (Dem) / 61% (Rep)</td>
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</table>

**General Issues Lobbied**

- Physician Payment
- MACRA
- Health Care Reform
- Surgical Workforce
- Rural Health Care
- Trauma
- Health IT
- GDR
- PAMMCON Surgery
- Cancer
- Medical Liability Reform

**Physicians Supported in the 115th Congress**

- 980 Individual Contributions
- Leadership PACs and Political Campaign Committee Contributions
  - 10 Leadership PACs
  - 6 Republicans
  - 4 Democrats

**ACSPA-Surgeons PAC Hosted Physician Community Events**

- 150+ Fundraisers
- 470+ Capitol Hill Briefings
- 30+ Policy Briefings

*As of September 2017*
2015-2016 Fundraising Recap

• $1,246,807 total receipts
• $1,147,819 total hard dollars
  – Most raised since PAC’s inception
• 2,333 individual contributors
• 300 fundraisers, candidate meetings, and health care industry events attended
2017 Fundraising Highlights

• Supported 12 physician Members of Congress
• In line with Congressional party ratios, supported 41% Democrat | 59% Republican
• Grew Advocacy Summit receipts
  - 2017: $61,200 | 2016: $54,000
  - 2017: 179 contributors | 2016: 150 contributors
• Increased monthly recurring contributions
• Attended more than 175+ fundraisers, candidate meetings, and health care industry events
• Hosted several physician community events for key members of Congress and political campaign committees
# SurgeonsPAC’s Standing

## Health Professionals PAC Contributions to Federal Candidates

<table>
<thead>
<tr>
<th>PAC Name</th>
<th>Affiliate</th>
<th>Total</th>
<th>Dems</th>
<th>Repubs</th>
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<tr>
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<td>American Academy of Orthopaedic Surgeons</td>
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<td>American Academy of Ophthalmology</td>
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<td>American Osteopathic Assn</td>
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<td>National Community Pharmacists Assn</td>
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<tr>
<td>American College of Cardiology</td>
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<td>$159,000</td>
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*Based on data released by the FEC on November 6, 2017

Compare surgeons to other professionals 2015-16

• Most proliferative professional Association??
  – National Association of Realtors : 26 Million $!!!

• How do we compare to lawyers?
  – Trial Lawyers: 7 MILLION $
  – American Bar Association: $852,500 (2017 ytd)

• Money talks , Donate today
  – Surgeons: 1.15 million , ($182,150:, 2017ytd)
New York SurgeonsPAC

Fundraising Efforts

Total Eligible 2017 Contributors: 4,996!!

2017
Total Contributions - $25,323
Number of Contributors – 69
Participation Percentage – 1.38%

2016
Total Contributions - $35,289
Number of Contributors – 120
Participation percentage – 2.31%

2015
Total Contributions - $37,946
Number of Contributors – 117
Participation Percentage – 2.23%
To Contribute Today...

Visit [www.surgeonspac.org](http://www.surgeonspac.org) (login required using facs.org username and password)

or

Text “ACSPA” to 41444

Contributions to ACSPA-SurgeonsPAC are not deductible as charitable contributions for federal income tax purposes. Contributions are voluntary, and all members of ACSPA have the right to refuse to contribute without reprisal. Federal law prohibits ACSPA-SurgeonsPAC from accepting contributions from foreign nations. By law, if your contributions are made using a personal check or credit card, ACSPA-SurgeonsPAC may use your contribution only to support candidates in federal elections. All corporate contributions to ACSPA-SurgeonsPAC will be used for educational and administrative fees of ACSPA and other activities permissible under federal law. Federal law requires ACSPA-SurgeonsPAC to use its best efforts to collect and report the name, mailing address, occupation, and the name of the employer of individuals whose contributions exceed $200 in a calendar year. ACSPA-SurgeonsPAC is a program of the ACSPA, which is exempt from federal income tax under section 501c(6) of the Internal Revenue Code.
ACSPA-SurgeonsVoice
What is ACSPA-SurgeonsVoice?

An on-going, organized program to communicate, educate, and provide the tools necessary to build a strong network of surgeon advocates willing to take action on important health policy matters.
SurgeonsVoice: Cutting Edge Advocacy

– Purpose: Demonstrating strength in numbers to help elevate surgery’s voice and advance the College’s health policy priorities

– Goals: Advocate, Communicate, Educate, Motivate

– Participants: Leadership, Fellows, Residents, Committees and Councils of the ACS

– Benefits: Broad-based, diversified, trusted, established advocates
Advocacy in Action Example

Ensuring Access to General Surgery Act

• **Goal:** Educate members of Congress on importance of the *Ensuring Access to General Surgery Act* and to promote passage into law

• **Staff outreach:** More than 200 meetings with members of Congress and their staffs to increase cosponsors

• **Grassroots efforts:** Promoted in various ACS communications and urged College members to take action online via *SurgeonsVoice.org*

• **Results:** More than 480 messages have been circulated to 160+ lawmakers/offices urging timely consideration of legislation

Future Efforts

• Identify surgeon advocates to encourage additional cosponsors
Advocacy in Action

In-District Trainings

Summer 2017 Stop the Bleed (STB) In-Districts

- **Background:** Pilot tested a new grassroots initiative to partner Fellows who are STB trainers with their MoC to offer in-district trainings to MoC and staff
- **Results:** 13 congressional offices/Fellows expressed interest in trainings, 3 of which occurred in August

Future Efforts

- Additional in-district meetings and trauma facility tours
- State Chapter Lobby Day activities & STB
Advocacy in Action

Cancer Programs Virtual Hill Day – September 8, 2017

• Purpose
  – Engage surgeon advocates to promote, and take action, on ACS-supported cancer legislation
  – Raise SurgeonsVoice profile to stimulate future engagement ACS-led legislative priorities

• Platforms
  – Social media (Twitter: @SurgeonsVoice, Hashtag: #cancerprogramsday)
  – SurgeonsVoice.org

• Results
  – **More than 60 messages** sent regarding Support Access to Colorectal Cancer Screening Act, the Palliative Care Hospice Education and Training Act, and FY 2018 cancer funding
How Can You Get Involved?

- Visit www.surgeonspac.org | www.surgeonsvoice.org
- Make a contribution to SurgeonsPAC.
- Become a PAC Captain.
- Host a fundraiser, facility tour, RAS PAC event or PAC check delivery in your state.
- Become an Advocacy Councilor.
- Participate in Grassroots “Calls to Action.”
- Recruit other surgeon advocates.
Questions?

- **Questions about ACS advocacy priorities?**
  Contact: Kristin McDonald | 202-672-1512 | kmcdonald@facs.org

- **Questions about SurgeonsPAC fundraising and Grassroots?**
  Contact: Katie Oehmen | 202-672-1503 | koehmen@facs.org

- **Questions about SurgeonsVoice?**
  Contact: Michael Carmody | 202-672-1511 | mcarmody@facs.org
To Contribute Today…

Visit www.surgeonspac.org
(login required using facs.org username and password)

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