

July 12, 2011

Dear Member of Congress:

The organizations listed below represent a breadth of entities including all sectors of the healthcare industry, employers of different sizes and geographic locations, as well as purchasers of care, consumers and patients. We all share the conviction that the Independent Payment Advisory Board (IPAB) will not only severely limit Medicare beneficiaries' access to care but also increase healthcare costs that are shifted onto the private sector. While we all recognize the need for more sustainable healthcare costs, we do not believe the IPAB is the way to, or will, accomplish this goal.

As you know, the Patient Protection and Affordable Care Act (PPACA [P.L. 111-148]) created the IPAB, a board appointed by the President and empowered to make recommendations to cut spending in Medicare if its spending growth reaches certain measures. The IPAB will have unprecedented power with little oversight, even though it has the power to literally change laws previously enacted by Congress. Further, the law specifically prohibits administrative or judicial review of the Secretary's implementation of a recommendation contained in an IPAB proposal.

We are deeply concerned about the impact the IPAB will have on patient access to quality healthcare. The bulk of any recommended spending reductions will almost certainly come in the form of payment cuts to Medicare providers. This will affect patient access to care and innovative therapies. In the past five years for which data is available, the number of physicians unable to accept new Medicare patients because of low reimbursement rates has more than doubled. According to an American Medical Association survey, current reimbursement rates have already led 17 percent of all doctors, including 31 percent of primary care physicians, to restrict the number of Medicare patients in their practices. In all likelihood, the IPAB will only exacerbate this problem.

While we are all supportive of improving the quality of care in this country, we are concerned that the IPAB will not be able to focus on improving healthcare and delivery system reforms, as some of its proponents have suggested. Requiring the IPAB to achieve scoreable savings in a one-year time period is not conducive to generating savings through long-term delivery system reforms. According to a recent Kaiser Family Foundation issue brief, "[w]hile the requirement to achieve Medicare savings for the implementation year provides a clear direction and target for the Board, it may discourage the type of longer-term policy change that could be most important for Medicare and the underlying growth in health care costs, including delivery system reforms that MedPAC and others have recommended which are included in the ACA – and which generally require several years to achieve savings. If these delivery system reforms are not 'scoreable' for the first year of implementation, the IPAB may be more likely to consider more predictable, short-term scoreable savings, such as reductions in payment updates for certain providers." The Congressional Budget Office (CBO) has in fact stated that the Board is likely to focus its recommendations on changes to payment rates or methodologies for services in the fee-for-service sector by non-exempt providers. Again, this will have a severe, negative impact on Medicare beneficiaries.

Last, we believe that the IPAB sets a dangerous precedent for overriding the normal legislative process. Congress is a representative body that has a duty to legislate on issues of public policy.

Abdicating this responsibility to an unelected and unaccountable board removes our elected officials from the decision-making process for a program that millions of our nation's seniors and disabled individuals rely upon, endangering the important dialogue that takes place between elected officials and their constituents.

We do not believe the IPAB is the right way to achieve savings in Medicare and strongly urge Congress to eliminate this provision.

Sincerely,

Abigail Alliance

Action CF

AdvaMed

Advocates for Responsible Care

AIDS Delaware

AIDS Drug Assistance Programs Advocacy Association

AIDS Housing Association of Tacoma

AIDS Institute

Alabama Orthopaedic Society

Alder Health Services, Inc.

Alliance for Aging Research

Alliance of Specialty Medicine

ALung Technologies, Inc.

Alzheimer's & Dementia Resource Center

Alzheimer's Arkansas

American Academy of Facial Plastic & Reconstructive Surgery

American Academy of Neurology

American Academy of Otolaryngology –

Head and Neck Surgery

American Academy of Physical Medicine and Rehabilitation

American Association for the Study of Liver Diseases

American Association of Clinical

Endocrinologists

American Association of Clinical Urologists

American Association for Homecare

American Association of Neurological Surgeons

American Association of Orthopaedic Executives

American Association of Orthopaedic Surgeons

American Autoimmune Related Diseases Association

American College of Emergency Medicine - Indiana Chapter

American College of Emergency Physicians

American College of Mohs Surgery

American College of Osteopathic Surgeons

American College of Radiology

American College of Surgeons - Missouri Chapter

American Congress of Obstetricians and Gynecologists

American Gastroenterological Association

American Liver Foundation - Allegheny Division

American Osteopathic Academy of Orthopedics  
American Physical Therapy Association  
American Podiatric Medical Association  
American Society of Anesthesiologists  
American Society of Breast Surgeons  
American Society of Cataract and Refractive Surgery  
American Society of General Surgeons  
American Society of Plastic Surgeons  
American Society of Radiation Oncology  
American Urological Association  
Amigos por la Salud  
Arizona BioIndustry Association  
Arizona Medical Association  
Arizona Urological Society  
Arkansas Medical Society  
Arkansas Orthopaedic Society  
Associated Industries of Florida  
Association for Behavioral Healthcare  
Association of Nurses in AIDS Care  
Asthma & Allergy Foundation of America - California Chapter  
Asthma & Allergy Foundation of America - New England Chapter  
Bay Bio  
BEACON (Biomedical Engineering Alliance & Consortium), Connecticut  
BIOCOM  
BioNJ  
BioOhio  
Biotechnology Industry Organization (BIO)

California Healthcare Institute  
California Hispanic Chambers of Commerce  
California Medical Association  
California Orthopaedic Association  
California Rheumatology Alliance  
California Urological Association  
Capital Region Action Against Breast Cancer!  
Children's Rare Disease Network  
Coalition for Affordable Health Coverage  
Coalition of State Rheumatology  
Council of University Chairs of Obstetrics & Gynecology Organizations  
Colorado Academy of Family Physicians  
Colorado BioScience Association  
Colorado Cross-Disability Association  
Colorado Gerontological Society  
Colorado Retail Council  
Colorado Springs Health Partners  
Community Health Charities of Florida  
Community Health Charities of Nebraska  
Congress of Neurological Surgeons  
Connecticut Orthopaedic Society  
Connecticut State Urology Society  
Delaware Academy of Medicine  
Delaware Ecumenical Council on Children and Families  
Delaware HIV Consortium  
Delaware State Orthopaedic Society  
Easter Seals  
Easter Seals Crossroads  
Easter Seals of Arkansas

Easter Seals of Maine  
Easter Seals of Massachusetts  
Easter Seals of New Jersey  
Easter Seals of South Florida  
Elder Care Advocacy of Florida  
Florida Chamber of Commerce  
Florida Medical Association  
Florida Society of Neurology  
Florida Society of Rheumatology  
Florida Society of Thoracic & Cardiovascular Surgeons  
Florida State Hispanic Chamber of Commerce  
Florida Transplant Survivor's Coalition  
Florida Urological Society  
Georgia Association for Home Health Agencies  
Georgia Bio  
Georgia Orthopaedic Society  
Global Genes  
Global Healthy Living Foundation  
HEALS of the South  
Healthcare Institute of New Jersey  
Healthcare Leadership Council  
HealthHIV  
Heart Rhythm Society  
Hoosier Owners and Providers for the Elderly  
Idaho Medical Association  
Illinois Association of Orthopaedic Surgeons  
Illinois Biotechnology Industry Organization—iBIO®  
Illinois Chamber of Commerce  
Indiana Association of Cities and Towns

Indiana Health Care Association  
Indiana Health Industry Forum  
Indiana Medical Device Manufacturers Council, Inc.  
Indiana Neurological Society  
Indiana State Medical Association  
InterAmerican College of Physicians & Surgeons  
International Franchise Association  
International Institute for Human Empowerment  
Iowa Orthopaedic Society  
Kansas Medical Society  
Kansas Urological Association  
Kentucky BioAlliance  
Kentucky Medical Association  
Kidney Cancer Association of Illinois  
Large Urology Group Practice Association  
Latino Diabetes Association  
Licensed Professional Counselors Association of Georgia  
Louisiana State Medical Society  
Lupus Alliance of America - Hudson Valley Affiliate  
Lupus Alliance of America - Queens and Long Island Affiliate  
Lupus Alliance of America - Southern Tier Affiliate  
Lupus Alliance of America - Upstate New York Affiliate  
Lupus Foundation of Arkansas  
Lupus Foundation of Florida

Lupus Foundation of Mid and Northern New York  
Lupus Foundation of the Genesee Valley  
Mabel Wadsworth Women's Health Center  
Maine Health Care Association  
Maine Osteopathic Association  
Maine State Council of Vietnam Veterans of America  
Maryland Orthopaedic Association  
Maryland State Medical Society  
Massachusetts Association for Behavioral Health Systems  
Massachusetts Association for Mental Health  
Massachusetts Biomedical Initiatives  
Massachusetts Medical Device Industry Council  
Massachusetts Orthopaedic Association  
Medical Association of Georgia  
Medical Association of the State of Alabama  
Medical Society of Delaware  
Medical Society of the District of Columbia  
Medical Society of the State of New York  
Medical Society of New Jersey  
Men's Health Network  
Mental Health America of Indiana  
Michigan Bio  
Michigan Chamber of Commerce  
Michigan College of Emergency Physicians  
Michigan Orthopaedic Society  
Michigan Society of Anesthesiologists  
Mississippi Arthritis and Rheumatism Society  
Mississippi Orthopaedic Society

Missouri State Medical Association  
Missouri Urological Association  
Montana Orthopaedic Society  
National Alliance on Mental Illness  
National Alliance on Mental Illness Colorado  
National Alliance on Mental Illness Florida  
National Alliance on Mental Illness Georgia  
National Alliance on Mental Illness Indiana  
National Alliance on Mental Illness Maine  
National Association for Home Care & Hospice  
National Association for Home Care & Hospice - Indiana Chapter  
National Association for Home Care & Hospice - Ohio Chapter  
National Association for Uniformed Services  
National Association of Manufacturers  
National Association of Nutrition and Aging Services Programs  
National Association of People with AIDS  
National Association of Spine Specialists  
National Council of Negro Women  
National Council of Negro Women - Los Angeles View Park Section  
National Grange  
National Health Foundation  
National Hemophilia Foundation - Delaware Valley Chapter  
National Kidney Foundation - Ohio Chapter  
National Medical Association  
National Minority Quality Forum  
National Retail Federation

Nebraska Academy of Physician Assistants  
Nebraska Medical Association  
Nebraska Orthopaedic Society  
Nebraska Urological Association  
Neurofibromatosis Mid-Atlantic  
Nevada Orthopaedic Society  
Nevada State Medical Association  
New Horizons Home Health Services  
New Jersey Academy of Ophthalmology  
New Jersey Mayors Committee of Life  
Science  
New York State Rheumatologists Society  
New York State Urological Society  
North Carolina Rheumatology Association  
North Carolina Urological Association  
Northwest Urological Society  
Ohio Association of Ambulatory Surgery  
Centers  
Ohio Association of County Behavioral  
Health Authorities  
Ohio Association of Medical Equipment  
Services  
Ohio Hospital Association  
Ohio Orthopaedic Society  
Ohio State Grange  
Ohio State Medical Association  
Ohio Urological Society  
Oklahoma State Medical Association  
Oklahoma State Orthopaedic Society  
Oklahoma State Urologic Association  
Oregon Medical Association  
Partners in Care Foundation

Pennsylvania BIO  
Pennsylvania Medical Society  
Pennsylvania Orthopaedic Society  
Personal Coaching & Psychotherapy for  
Women  
PhRMA  
RARE Project  
RetireSafe  
Rhode Island Medical Society  
Rocky Mountain Stroke Center  
Rural Health IT  
Sanfilippo Foundation for Children  
Society for Cardiovascular Angiography and  
Interventions  
Society for Vascular Surgery  
Society of Gynecologic Oncology  
Society of Urologic Oncology  
South Carolina BIO  
South Carolina HIV/AIDS Care Crisis Task  
Force  
South Carolina Medical Association  
South Carolina Orthopaedic Association  
South Carolina Podiatric Medical Association  
South Carolina Urological Association  
South Dakota State Orthopaedic Society  
South Jersey Geriatric Care PC  
South Jersey Senior Networking Group  
Southeastern Medical Device Association  
(SEMDA)  
Stockton Center on Successful Aging  
Syndicus Scientific Services  
Team Sanfilippo Foundation

Tennessee Medical Association  
Tennessee Orthopaedic Society  
Texas Healthcare & Bioscience Institute  
Texas Urological Society  
The G.R.E.E.N. Foundation  
U.S. Chamber of Commerce  
U.S. Pain Foundation  
Urology Society of New Jersey  
Utah Medical Association  
Utah State Orthopaedic Society  
Vascular Society of New Jersey  
Vermont Medical Society  
Veterans Health Council  
VHA Inc.  
Vietnam Veterans of America  
Virginia Biotechnology Association  
Visiting Nurse Association of Ohio  
Washington Biotechnology & Biomedical  
Association  
Washington Free Clinic Association  
Washington Osteopathic Medical Association  
Washington Rheumatology Association  
Washington State Medical Association  
Washington State Urology Society  
WERAK Foundation  
West Virginia Academy of Otolaryngology  
West Virginia Chapter of the American  
College of Cardiology  
West Virginia Manufacturer's Association  
West Virginia Orthopaedic Society  
West Virginia State Medical Association

William "Hicks" Anderson Community  
Center  
Wisconsin Hospital Association  
Wisconsin Urological Society  
Women Against Prostate Cancer