

Mark Meadows
Assistant to the President and Chief of Staff
1600 Pennsylvania Ave NW
Washington, DC 20500

The Honorable Alex Azar
Secretary, Health and Human Services
200 Independence Ave SW
Washington, DC 20201

The Honorable Russell Vought
Director, Office of Management and Budget
725 17th St. NW
Washington, DC 20503

Dear Mr. Meadows, Secretary Azar, and Director Vought:

August 7, 2020

The undersigned physician organizations urge the Trump Administration to issue final rules to modernize the Stark self-referral law (Stark) and Anti-Kickback statute (AKS) so that physicians can better provide coordinated care, which improves outcomes and lowers costs. Finalizing the bold reforms contained in the proposed rules would allow physicians to deliver value-based care and help level the competitive playing field with large hospital systems.

The regulatory application of Stark and AKS has created tremendous burdens on physician practices and been an obstacle to value-based care delivery. The outdated and onerous regulations hamper efforts that allow providers to accept risk and incentivize their physicians to abide by treatment pathways that bring greater efficiencies.

We commend the Administration's approach to create permanent exceptions to Stark Law for value-based arrangements would apply to care of all patients, not just Medicare beneficiaries. In addition, we support modernizing Stark and AKS so that both small and large providers may collaborate in furtherance of value-based purposes that benefit patients. We appreciate the new opportunities provided with varying degrees of risk-sharing, which does not

presume a one-size-fits-all approach can work for different specialties, regions or sizes of practices.

We understand that it was a huge endeavor to adopt such a significant regulatory update to these two statutes and required significant coordination between the Centers for Medicare and Medicaid Services and the Office of Inspector General. We hope the Administration seizes the opportunity these reforms can provide our health system and move forward with final rules without further delay.

Sincerely,

American Academy of Dermatology Association
American Academy of Neurology
American Academy of Orthopaedic Surgeons
American Association of Clinical Urologists
American Association of Neurological Surgeons
American College of Cardiology
American College of Gastroenterology
American College of Mohs Surgery
American College of Rheumatology
American Gastroenterological Association
American Society for Dermatologic Surgery Association
American Society for Gastrointestinal Endoscopy
American Society for Mohs Surgery
American Urological Association
Digestive Health Physicians Association
Congress of Neurological Surgeons
Large Urology Group Practice Association
National Association of Spine Specialists
The OrthoForum