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November 28, 2022

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, DC 20510

Dear Speaker Pelosi, Majority Leader Schumer, Leader McConnell, and Leader McCarthy:

The American Academy of Neurology (AAN) is the world's largest association of neurologists and neuroscience professionals, with 38,000 members. A neurologist is a doctor with specialized training in diagnosing, treating and managing disorders of the brain and nervous system such as Alzheimer's disease, stroke, migraine, multiple sclerosis, concussion, Parkinson's disease, muscular dystrophy, and epilepsy.

On behalf of our membership, I write to reiterate the AAN's support of several priorities that we believe are essential to include as part of any health care legislative package prior to the end of the year:

- **Protecting the health care workforce** by preventing impending cuts to physician Medicare reimbursement.
- **Ensuring continued access to telehealth** by extending telehealth flexibilities through 2024.
- **Streamlining the Medicare prior authorization process** by enacting H.R. 3173/S. 3018, one of the most broadly supported bipartisan pieces of health care legislation in the 117th Congress.
- **Investing in medical research and veterans** by supporting FY2023 appropriations for a variety of programs that provide robust, sustained funding for medical research and support for veterans with neurologic conditions.

Protecting the Health Care Workforce

The Centers for Medicare and Medicaid Services' (CMS) 2023 Medicare Physician Fee Schedule (MPFS) final rule finalized substantial cuts of nearly 4.5 percent to Medicare reimbursement that are unsustainable for neurology practices and threaten patient access to high-quality neurologic care starting January 1, 2023. The impact of these cuts is compounded by a lack of inflationary adjustments over nearly 20 years. Without Congressional action, these cuts will go into effect next year and pose a great threat to patients.

The AAN is committed to payment reform efforts to promote a sustainable payment system and to working with regulators and legislators to ensure that the work done by

neurologists is appropriately valued. While a long-term solution is the ultimate goal, **it is imperative that Congress act now to avert these cuts and protect patient access to care in 2023.**

Ensuring Continued Access to Telehealth

The COVID-19 pandemic has forced neurology practices around the country to dramatically reshape their delivery of care for the vulnerable populations they treat. Telehealth has become an essential method of delivering care for most neurologists, which has only been possible due to the policy flexibilities enacted by Congress, along with the broad interpretation of these provisions by the Centers for Medicare and Medicaid Services (CMS).

The ability for people suffering from a neurologic disease to access telehealth services will be severely threatened when the public health emergency ends. **We urge you to continue current telehealth flexibilities through 2024.** This extension will allow patients to continue to get the care they need while Congress and other entities gather more information regarding telehealth and its post-pandemic use. The AAN is committed to working with Congress on implementing permanent policy changes that protect patient access to telehealth.

Streamlining Prior Authorization

Prior authorization (PA) is a health plan cost-control process that requires physicians and other health care professionals to qualify for payment by obtaining approval before performing a service. According to the AMA's 2021 PA physician survey, more than nine in 10 physicians (93%) reported care delays while waiting for health insurers to authorize necessary care; over four in five physicians (82%) said patients abandon treatment due to authorization struggles with health insurers; and 88% of physicians describe the burden associated with PA as high or extremely high. Most alarmingly, over one-third (34%) of surveyed physicians reported that PA has led to a serious adverse event (e.g., hospitalization, disability, or even death) for a patient in their care. Patients—especially the vulnerable Medicare Advantage (MA) population—deserve PA reforms that will protect them from these harms associated with PA requirements.

The Improving Seniors' Timely Access to Care Act (H.R. 3173/S. 3018), addresses prior authorization and is one of the most broadly supported bipartisan pieces of health care legislation in the 117th Congress. This legislation would help protect patients from unnecessary delays in care by streamlining and standardizing prior authorization under the Medicare Advantage program, providing much-needed oversight and transparency of health insurance for America's seniors. The bill passed the House with 327 cosponsors and has 49 Senate cosponsors, a number that continues to grow. Most notably, the legislation is supported by over 506 organizations representing patients, providers, IT groups, and companies across the country. It is imperative that we codify these updates into law to protect patients' timely access to care. **We urge you to include this legislation in the end-of-year package.**

Investing in Medical Research: FY2023 Appropriations

The AAN applauds your strong support for investments in life-saving treatments and cures for neurologic disease. However, we are concerned that the federal government is currently operating under a continuing resolution. We encourage Congress to enact a Labor, Health and Human Services (HHS), Education and Related Agencies appropriations bill as soon as possible that provides robust, sustained funding for medical research and care, including at least:

- \$2.882 billion for the National Institutes of Neurologic Disease and Stroke
- \$700 million for the BRAIN Initiative

The AAN also encourages Congress to enact Military Construction, Veterans Affairs, and Related Agencies and Defense appropriations bills that includes funding for the VA Centers of Excellence related to

neurologic conditions, VA Medical and Prosthetic Research Program, and the Congressionally Directed Medical Research Programs. We specifically encourage funding in the amounts of at least:

- \$15 million for the Headache Centers of Excellence
- \$19 million for the Epilepsy Centers of Excellence
- \$12 million for the Parkinson's Centers of Excellence
- \$5 million for the Multiple Sclerosis Centers of Excellence

Thank you for your consideration of these critical issues that require immediate action. If you have any questions or require additional information, please do not hesitate to contact Derek Brandt, Director of Congressional Affairs at dbrandt@aan.com or Kelly McCone, Senior Congressional Affairs Manager at kmccone@aan.com. We look forward to working with you as we strive to improve care for all Americans with neurologic conditions.

Sincerely,

A handwritten signature in black ink that reads "Orly Avitzur MD". The signature is written in a cursive, flowing style.

Orly Avitzur, MD, MBA, FAAN
President, American Academy of Neurology

cc: U.S. Senate Committee on Appropriations
U.S. Senate Committee on Finance
U.S. Senate Committee on Health, Education, Labor & Pensions
U.S. House Committee on Ways and Means
U.S. House Committee on Appropriations
U.S. House Committee on Energy & Commerce
U.S. House Committee on Ways and Means