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November 24, 2020

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

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

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

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

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi, & Minority Leader McCarthy:

The American Academy of Neurology (AAN) is the world's largest neurology specialty society representing more than 36,000 neurologists and clinical neuroscience professionals. The AAN is dedicated to promoting the highest quality patient-centered neurologic care. A neurologist is a physician with specialized training in diagnosing, treating, and managing disorders of the brain and nervous system. These disorders affect one in six people and include conditions such as multiple sclerosis (MS), Alzheimer's disease, Parkinson's disease, stroke, migraine, epilepsy, traumatic brain injury, ALS, and spinal muscular atrophy.

During this unprecedented time, our country currently faces many critical issues that necessitate imminent action. The AAN urges Congress to enact legislation prior to the New Year to address the following key policy areas:

**COVID-19 Relief:** As the pandemic continue to rage, so too does its impact on health care providers and patients. The AAN reiterates its previous comments from [April](#), [May](#), and [June](#), but in particular, urges including the following provisions in any future COVID-19 relief package:

- **Allow finalized increases in relative values and payment rates for outpatient evaluation and management (E/M) codes and the GPC1X complexity add-on code to go fully into effect on January 1, 2021 without any delay, phase-in, or transition. Upon implementation, the AAN also supports mitigating the impact of budget neutrality adjustments under the Medicare physician fee schedule.** This could be accomplished by waiving budget neutrality as proposed by Reps. Michael Burgess (R-TX) and Bobby Rush (D-IL) in [H.R. 8505](#), or by creating a fixed percentage add-on payment for all providers that offsets some or all of the negative effects of budget neutrality. We believe these solutions are fairer and more equitable than H.R. 8702, an alternative approach offered by Reps. Ami Bera (D-CA) and Larry Bucshon (R-IN). If H.R. 8702 is used as the basis of relief, we ask that this hold harmless policy be limited to one year (CY2021).
- **[Extend the current moratorium](#) on the Medicare sequestration cuts, which are scheduled to return January 1, 2021, until the end of the COVID-19 public health emergency.**

- **Targeted and limited liability protections**, which are in the bipartisan bill, H.R. 7059, the [Coronavirus Provider Protection Act](#).
- **At least \$15.5 billion in emergency funding** for the National Institutes of Health, as included in the *Senate Health Education and Liability Protection and Schools (HEALS) Act*. This funding would help advance COVID-19 related research, especially given the evidence of long-term neurologic complications, and mitigate the impact of the public health emergency on ongoing neurologic research.
- **Workforce provisions:** The AAN supports several policies in the HEROES Act to help provide flexibility that is needed to ensure international medical graduates practicing or training in the United States are allowed to enter or stay the country to meet the expanded health care needs in the US. In particular, the AAN is supportive of permanently authorizing and expanding the Conrad 30 program, as well as S. 3599/H.R. 6788, *the Healthcare Workforce Resilience Act*, a bill to alleviate the green card backlog for foreign-born physicians and nurses. The AAN also supports enacting S. 348/H.R. 1763, *the Resident Physician Shortage Reduction Act of 2019*, to ensure patients have access to care, build a robust physician workforce, and prepare for the next public health emergency.

**FY2021 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:

- \$47 billion for the National Institutes of Health, including emergency funding measures
  - House proposed appropriation
- \$500 million for the BRAIN Initiative
  - Senate and House proposed appropriation
- \$5 million for the CDC National Neurological Conditions Surveillance System
  - Senate and House proposed appropriation
- \$8 billion for the Centers for Disease Control and Prevention (CDC)
  - House proposed appropriation
- \$343 million for the Agency for Healthcare Research and Quality (AHRQ)
  - House proposed appropriation

The AAN also encourages Congress to enact Military Construction, Veterans Affairs, and Related Agencies and Defense appropriations bills that include funding for the VA Medical and Prosthetic Research Program, the VA Centers of Excellence related to neurologic conditions, and the Congressionally Directed Medical Research Programs.

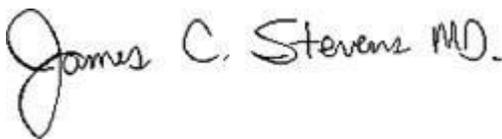
**Telehealth:** The AAN appreciates the work of both chambers to advance telehealth delivery throughout the COVID-19 public health emergency (PHE). The numerous bipartisan bills that have been introduced have covered a wide range of telehealth concerns that impact physicians and the patients that they serve. The AAN has been supportive of many of these bills including: H.R. 7663, *the Protecting Access to Post-COVID-19 Telehealth Act of 2020*, H.R. 8727/S. 4375, *the Telehealth Modernization Act of 2020*, and H.R. 6644/S. 3741 *the Health Care at Home Act of 2020*. With no end to the PHE in sight, the AAN encourages Congress to look to the future and pass comprehensive telehealth reform legislation making the following allowances into more permanent solutions for patients and physicians:

- Permanently remove the current section 1834(m) geographic and originating site restrictions to ensure all patients can access care at home, and other appropriate locations
- Permit the use of remote patient monitoring for certain patients with chronic conditions
- Authorize CMS to continue reimbursement for telehealth for an appropriate amount of time beyond the end of the PHE
- Ensure secure and reliable internet and phone connections for patients utilizing telehealth to maintain clinical relationships with physicians.

**Other Provisions:**

- **H.R. 3107, the Improving Seniors' Timely Access to Care Act:** One of the most broadly supported bipartisan pieces of health care legislation in the 116<sup>th</sup> Congress is H.R. 3107, *the Improving Seniors' Timely Access to Care Act*, introduced by Reps. Suzan DelBene (D-CA), Mike Kelly (R-PA), Ami Bera, MD (D-CA) and Roger Marshall, MD (R-KS). 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. H.R. 3107 has 266 cosponsors and is supported by [400 organizations](#) representing patients, providers, IT groups, and companies across the country. The Small Business Committee [held a hearing](#) on how PA negatively impacts small practice groups and submitted a [letter](#) to Ways and Means leadership in support of the bill.
- **Enact an indefinite delay to the [Appropriate Use Criteria \(AUC\) Program](#)**, which will allow for a thoughtful and long overdue re-examination of the initiative.

In closing, the AAN believes the proposals outlined above will strengthen the critical support already enacted by Congress to fight the COVID-19 pandemic, ensure patient access to care, and the viability of physician practices around the country. If you have any questions or need additional information, please contact Derek Brandt, AAN's Director, Congressional Affairs, at [dbrandt@aan.com](mailto:dbrandt@aan.com), or Michael Lisowski, AAN's Congressional Affairs Manager, at [mlisowski@aan.com](mailto:mlisowski@aan.com).



Sincerely,

James C. Stevens, MD, FAAN  
President, American Academy of Neurology