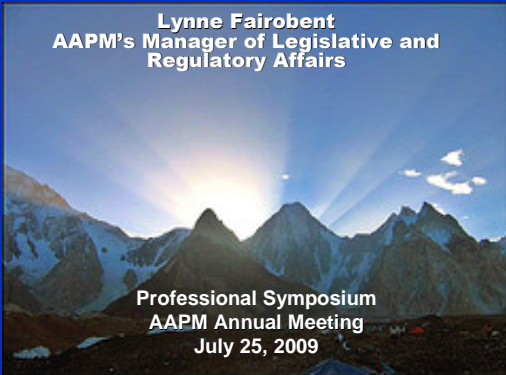




A New “CARE” - A New Focus

Lynne Fairbent
AAPM's Manager of Legislative and
Regulatory Affairs



Professional Symposium
AAPM Annual Meeting
July 25, 2009

- CARE legislation – 110th Congress
- *Medicare Improvements for Patients and Providers Act (MIPPA)*
- Healthcare Reform
- H.R. 3276 – *American Medical Isotopes Production Act of 2009*



CARE in the 110th Congress

- It stands for: *Consistency, Accuracy, Responsibility, and Excellence in Medical Imaging and Radiation Therapy Act of 2007*
- The House bill (H.R. 583) died with 150 bipartisan cosponsors
- The Senate Bill (S. 1042) died with 27 cosponsors
- Hit a jurisdiction issue between Senate HELP and Finance committees
- Interference from imaging provisions of MIPPA



Medicare Improvements for Patients and Providers Act (MIPPA)

- Enacted in July 2008
- Signed into Law – August 2008
- Contains provisions for facility accreditation standards for advanced imaging – CT, MR, nuclear medicine and PET
- Exempts X-ray, ultrasound and fluoroscopy from accreditation standards



MIPPA continued

- Mandates that beginning January 1, 2012 any entity that performs the technical component of advanced diagnostic imaging services (including a physician's office) will be required to have received accreditation from a national accrediting agency approved by the Secretary of Health and Human Services.



MIPPA continued

- The MIPPA requirements apply only to physician office and freestanding imaging centers.
- They **do not** apply to hospital based imaging procedures.



Challenges to CARE in 110th Congress

- For the first time challenges were raised by the:
 - Equipment manufacturers
 - OB/GYN and ophthalmology organizations since ultrasound was included in the draft legislation for the first time
 - Crisis pregnancy centers – again due to the inclusion of ultrasound; nurses use ultrasound in the crisis pregnancy centers to verify or check pregnancy status



Challenges to CARE in 110th Congress

- Sonography concerns, coupled with presidential election year politics brought the CARE bill's process to a standstill.



Major Issues Facing Congress in 2009

- Economy
- Healthcare [Medicare reform, universal health coverage, Electronic Health Record (EHR)]
- Decrease in overseas troops
- Environment



111th Congress & Healthcare Reform

- Achieving comprehensive health reform has emerged as a leading priority of the President and Congress.
- President Obama has outlined eight principles for health reform, seeking to address not only the 45 million people who lack health insurance, but also rising health care costs and lack of quality.



111th Congress & Healthcare Reform

- Number of comprehensive reform proposals have been announced as the debate begins over how to overhaul the health care system.
- Number of organizations tracking the issue.



Health Care Reform Proposals

- Side-by-Side Comparison of Major Health Care Reform Proposals by the Kaiser Family Foundation
- An interactive side-by-side compares the leading comprehensive reform proposals across a number of key characteristics and plan components.
- Includes proposals for moving toward universal coverage that have been put forward by the President and Members of Congress.
- Link: <http://www.kff.org/healthreform/sidebyside.cfm>



CARE Legislation

- To amend the **Public Health Service Act and the Social Security Act** to make the **provision of technical services** for medical imaging examinations and radiation therapy treatments **safer, more accurate, and less costly**.



CARE Legislation

- Purpose of this Act is to **improve the quality and value of health care by increasing the safety and accuracy** of medical imaging examinations and radiation therapy procedures, thereby **reducing duplication of services and decreasing costs**.



SEC. 355. QUALITY OF MEDICAL IMAGING AND RADIATION THERAPY

- (a) **Qualified Personnel**
 - (1) **In General. Effective January 1, 2013, personnel who perform or plan the technical component of either medical imaging examinations or radiation therapy procedures for medical purposes must be qualified under this section to perform or plan such services.**



SEC. 355. QUALITY OF MEDICAL IMAGING AND RADIATION THERAPY

- (2) **Qualification.—** Individuals qualified to perform or plan the technical component of medical imaging examinations or radiation therapy procedures must—
 - (A) **possess current certification in each medical imaging or radiation therapy modality and service provided from a certification organization designated by the Secretary pursuant to subsection (c); or**
 - (B) **possess current State licensure, or certification, where—**
 - (i) **such services and modalities are within the scope of practice as defined by the State for such profession; and**
 - (ii) **the requirements for licensure, certification or registration meet or exceed the standards established by the Secretary pursuant to this section.**



Talking Points for CARE Passage

- **Reduce health care costs.** Accurate diagnosis, fewer repeat exams and delays in treatment will save the Medicare program millions of dollars.
- **Maximize patient safety.** Certified individuals perform exams and treatments safely, accurately and effectively while minimizing radiation exposure.



Talking Points for CARE Passage

- **Increase quality.** Competent, educated and certified technologists and therapists increase overall exam and treatment quality. Patients' satisfaction is increased.



Talking Points for CARE Passage

- By including the CARE bill, Congress would be focusing its efforts on what truly matter most in health care reform — **Americans receiving quality medical imaging and radiation therapy health care in a safe and cost effective system.**



Isotope Availability



Members of the Coalition on Isotope Production

- American Association of Physicists in Medicine (AAPM)
- Society of Nuclear Medicine (SNM)
- American College of Radiology (ACR)
- American Nuclear Society (ANS)
- American Society of Nuclear Cardiology (ASNC)
- American Society for Radiation Oncology (ASTRO)
- Council on Radionuclides and Radiopharmaceuticals (CORAR)
- Health Physics Society (HPS)
- Nuclear Energy Institute (NEI)



White Paper Developed

- Two key issues regarding production of Molybdenum- 99 (Mo-99) within the United States:
 - an inherent need for reliable domestic suppliers of Mo-99, and
 - The recent efforts to curtail the use of high-enriched uranium (HEU) in radionuclide production as a nonproliferation strategy and to deter terrorism.



Reliable Domestic Supply of Mo-99

- In order to ensure that patient needs are not compromised, a continuous reliable supply of medical radioisotopes is essential.
- Currently there are no facilities in the United States that are dedicated to manufacturing Mo-99 for Mo-99/Tc-99m generators.



Reliable Domestic Supply of Mo-99

- The industry must develop additional capacity for Mo-99 production, and not rely solely on current suppliers.
- A Public-Private partnership should be explored to speed the availability of Mo-99 to ensure the continued availability of diagnostic imaging for patients with cancer, heart disease, neurologic conditions, and other medical problems.



Switch from HEU to LEU

- A continuous, reliable supply of medical isotopes is essential; **any change** from high-enriched uranium (HEU) to low-enriched uranium (LEU) must be undertaken in such a way that **we ensure that patient needs are not compromised.**



H.R. 3276 – “American Medical Isotopes Production Act of 2009”

- Introduced by Rep. Markey (D, MA-7) - July 21st
- To promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes.



Medical Isotope Development Projects

- The Secretary of Energy **shall establish a program to evaluate and support projects for the production in the United States,** without the use of highly enriched uranium, of significant quantities of molybdenum-99 for medical uses.



AUTHORIZATION OF APPROPRIATIONS

- There are authorized to be appropriated to the Secretary of Energy for carrying out the program **\$163,000,000 for fiscal years 2010 through 2014.**



H.R. 3276

- Letters of support:

- AAPM
- SNM
- HPS
- ASTRO
- CORAR
- Covidion



Thank You!

Lynne A. Fairbent
Legislative and Regulatory Affairs
Manager
301-209-3364
Email: lynne@aapm.org

