

BILL WOULD PUSH OFF MEDICARE 2023 PHYSICIAN FEE CUTS

Reps. Ami Bera (D-CA) and Larry Bucshon (R-IN) recently introduced legislation to mitigate CMS' proposed physician fee schedule cuts for 2023, which doctors have decried since the rule was released, by increasing the conversion factor 4.42%, effectively putting the cuts on hold for a year.

Congress has stepped in the past few years to help mitigate physician fee schedule cuts, and stakeholders have urged lawmakers to do so again prior to 2023.

The lawmakers, who recently spearheaded a bipartisan request for feedback on how to revamp the flawed Medicare Access and CHIP Reauthorization Act (MACRA), also include in their newly introduced Supporting Medicare Providers Act a sense of Congress that HHS, the House and Senate should administratively and legislatively make sure the Medicare physician pay system is predictable and stable. The sense of Congress also says that lawmakers and HHS should work to promote and reward value-based care, as well as "safeguard timely access to high-quality care by advancing health equity and reducing disparities."

CMS proposed a roughly 4.4% decrease to the conversion factor under the proposed physician fee schedule for 2023. While the 2023 physician fee schedule is not yet final, CMS may not have the discretion to change the physician fee schedule the way it has changed other payment rules to increase reimbursement — in part because some of the payment cuts CMS proposed are tied to evaluation and management changes that have already been put in place, with prior years' cuts mitigated by Congress, and in part because MACRA set up payment updates for the physician fee schedule, which includes a 0% pay update for 2023.