



March 30, 2020

Ms. Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
Department of Health and Human Services  
Hubert H. Humphrey Building  
200 Independence Avenue SW, Room 445-G  
Washington, DC 20201

Dear Administrator Verma:

America's Physician Groups (APG) would like to write to express our strong support for the expansion of the Medicare Hospital Accelerated Payment Program and to thank the agency for including not only additional hospitals, but also physician group practices under this new framework. As physician groups drastically restructure their practices in response to COVID-19, significant decreases in revenue are expected shortly with decreases in services reaching up to 40 percent in some cases. As other contracted services such as billing services experience reductions, and cancellation rates increase exponentially, additional downward pressure on provider revenue is also a growing problem. Allowing these entities to receive advance payment of up to 100 percent for a three-month period will assist tremendously in helping providers to mitigate growing financial difficulties amid the COVID-19 pandemic.

### **About America's Physician Groups**

APG is a national professional association representing over 300 physician groups, approximately 195,000 physicians, and the nearly 45 million patients they care for. Our tagline, "Taking Responsibility for America's Health," represents our members' vision and efforts to move away from the antiquated fee-for-service (FFS) reimbursement system where clinicians are paid "per click" for each service rendered rather than on the outcomes of the care provided. Instead, our members are taking responsibility for improving the health of the patients and communities they serve by holding themselves accountable for the cost and quality of care through alternative payment models (APMs).

Our preferred model of capitated, delegated and coordinated care avoids incentives for the high utilization associated with FFS reimbursement. This model aligns incentives for physicians to provide the right care in the right setting, thus improving the health of entire populations, particularly chronically ill and fragile individuals.

### Summary of APG's Request:

- We ask that CMS consider waiving recoupment of prepayments made to providers. If the agency is unable to waive recoupment, it should consider amending the expansion as it is currently constructed to match the one-year balance repayment deadline hospitals are granted rather than the 210 days currently in place for physician practices
- We request that CMS make the clarification as to how the process of recoupment will be implemented so that practices may operate from a fully informed place once this process begins

### Background

While we are appreciative of the increased support and flexibility, we do have concerns regarding the lack of parity between hospitals and group practices as currently constructed and request greater clarity on how the process will unfold. CMS has graciously extended repayment for hospitals to a period of one year, allowing those facilities ample time to reconcile their payments once the current pandemic has subsided. Physician group practices however have only been extended a time period of 210 days for the repayment of the balance as Part B suppliers to prepare the same financial arrangements, an amount of time we believe to be insufficient for medical groups to properly prepare for repayment. Due to the extent of the changes that have been made to infrastructure and the disruption to service that has occurred during this pandemic, many providers will not be able to fully reconcile their periodic payments so soon after this public health emergency has subsided.

We would ask that **CMS waive the requirement that providers repay the accelerated payments extended to them during this public health emergency.** As practices brace for continued increases in COVID-19 patients and continue to restructure themselves amid reduced payments and services, providing immediate support with no expectation of delayed financial liability will assist greatly in relieving the immense pressure many organizations are already experiencing.

In lieu of any ability of CMS to waive repayment, we ask that the agency consider **amending the expansion as it is currently constructed to match the one-year balance repayment** deadline hospitals are granted rather than the 210 days currently in place for physician practices. In a time of growing uncertainty, taking steps to assist those healthcare providers on the frontlines and ensure that they have the resources to care from those in need is paramount.

We also would like to receive additional guidance from the agency on how the repayment process will be conducted. The expansion as currently drafted is unclear as to how the repayment will be implemented. CMS has indicated that repayment of accelerated payments will **begin** 120 days after the date of issuance of the payment and Part B suppliers have 210 days from the date of the accelerated or advance payment to repay the balance. **We request that CMS make the clarification as to how the process of recoupment will be implemented** that practices may operate from a fully informed place once this process begins. For example, will the recoupment be done per percentage or can the practices wait until 210 days and repay the total balance?

Thank you for your attention to the above comments. Again, we reiterate our robust support for the accelerated payment program. It is important that CMS continues to work with stakeholders to most effectively respond to the ongoing COVID-19 pandemic. We look forward to continuing to work with you throughout this process. Please feel free to contact Valinda Rutledge, Senior Vice President, Federal Affairs, ([vrutledge@apg.org](mailto:vrutledge@apg.org)) if you have any questions or if America's Physician Groups can provide any assistance as you consider these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald H. Crane". The signature is fluid and cursive, with a large initial "D" and "C".

Donald H. Crane  
President and CEO  
America's Physician Groups