



Association of Community Cancer Centers

October 18, 2022

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

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

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

**Re: ACCC end-of-year legislative priorities to support oncology practices and their patients**

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

On behalf of our member cancer programs and practices across the United States, the Association of Community Cancer Centers (ACCC) writes to encourage Congress to take action before the end of this year to mitigate significant Medicare payment cuts and improve access to high-quality, efficient, and equitable care for patients with cancer. Without the support of Congress, these oncology care providers will struggle to maintain financial viability and offer access to comprehensive cancer care for millions of patients and families impacted by cancer in the year ahead.

ACCC is the leading education and advocacy organization for the multidisciplinary cancer care community, including physicians, nurses, pharmacists, social workers, researchers, hospital executives, program administrators, financial advocates, and other members of the oncology care team. ACCC represents more than 30,000 cancer care professionals from over 1,700 private practices, hospital-based cancer programs, large healthcare systems, and major academic centers throughout the country. The diversity of our membership uniquely positions ACCC to effectively engage with policymakers about the need for Medicare payment reform and legislation impacting cancer care delivery.

ACCC appreciates the action Congress took in December 2021 to pass the Protecting Medicare and American Farmers from Sequester Cuts Act, averting the implementation of planned cuts to reimbursement via the Medicare Physician Fee Schedule and sequestration in 2022. Absent congressional intervention, even more significant reductions to Medicare payment will take effect in January 2023. In addition, the expiration of other congressionally appropriated funds will hamper the efforts of oncology care providers in their ongoing transition to value-based care. ACCC urges Congress to provide financial support to our nation's oncology programs and practices through the following:

- **Protect physicians from the proposed 4.42% cut to the Medicare Physician Fee Schedule (MPFS) conversion factor in CY 2023.** The Supporting Medicare Providers Act of 2022 (H.R. 8800) will provide a positive adjustment to offset the reduction to the MPFS conversion factor in 2023, as proposed by the Centers for Medicare and Medicaid Services earlier this year.
- **Prevent the 4% Statutory Pay-As-You-Go (PAYGO) sequester from taking effect.** This projected 4% reduction in Medicare spending is necessary to offset congressional spending included in the American Rescue Plan Act of 2021 unrelated to the delivery of healthcare services. We encourage Congress to waive these reductions for CY 2023.

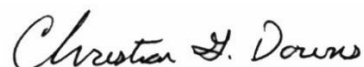
- **Extend Medicare Advanced Alternative Payment Model (APM) incentive payments.** Originally authorized under the Medicare Access and CHIP Reauthorization Act (MACRA), these 5% Advanced APM incentive payments support providers transitioning to value-based arrangements. Absent congressional action, these payments will expire at the end of 2022. Section 4 of the Value in Health Care Act (H.R. 4587) would extend these payments for an additional six performance years, allowing oncology groups participating in advanced APMs, including the new Enhancing Oncology Model, to qualify for these incentives.
- **Extend the Merit-based Incentive Payment System (MIPS) payment adjustment for exceptional performance.** Also authorized under MACRA, this statutorily allocated pool of \$500 million annually is awarded on a sliding scale to high-performing MIPS eligible clinicians. These funds are due to expire at the end of 2022, so we encourage Congress to take action to ensure that clinicians continue to be rewarded for providing high-quality cancer care.

In addition to these financial protections and incentives for oncology care providers, ACCC encourages Congress to improve patient access to cancer care by passing the following pieces of legislation:

- The **Advancing Telehealth Beyond COVID-19 Act of 2021** (H.R. 4040) would extend many Medicare telehealth flexibilities and waivers through December 31, 2024, including the ability for beneficiaries to continue to receive telehealth services from their homes and to use audio-only technology. We thank the House for passing this bill and urge the Senate to do the same.
- The **Improving Seniors' Timely Access to Care Act of 2021** (H.R. 3173/S. 3018) would streamline and standardize prior authorization processes within the Medicare Advantage (MA) program, including through the creation of an electronic prior authorization program. This bill would reduce significant delays and barriers for patients with cancer. We thank the House for unanimously passing this legislation last month and encourage the Senate to do the same.
- The **Medicare Multi-Cancer Early Detection Screening Coverage Act** (H.R. 1946/S. 1873) would establish a pathway for Medicare coverage of novel blood-based screening tests capable of detecting many different cancer types in a single assay. This legislation has gained an impressive amount of support in both the House and Senate due to its potential to reduce disparities in cancer screening and detection and its alignment with the Cancer Moonshot. Now is the time for action.
- **Provisions to increase diversity in clinical trials** included in the House-passed reauthorization of Food and Drug Administration (FDA) user fee programs (H.R. 7667) were ultimately stripped from the user fee package incorporated into the continuing resolution passed on September 30 (H.R. 6833). The provision to require clinical trial sponsors to develop diversity action plans would ensure that clinical trial enrollment is reflective of the diverse populations impacted by the specific disease or condition a novel therapy is intended to address. We encourage Congress to include clinical trial diversity provisions in a year-end legislative package.

As the voice of our nation's cancer care community, ACCC seeks to ensure stable reimbursement for its members so that they can continue to provide high-quality, equitable care to the patients they serve. We urge Congress to take action to mitigate the impact of Medicare payment cuts in 2023 and to improve patient access to continuous, timely, and affordable cancer treatment and screening. If you have any questions, please contact Matt Devino at [mdevino@acc-cancer.org](mailto:mdevino@acc-cancer.org) or (301) 263-3510.

Respectfully,



Christian G. Downs, JD, MHA  
Executive Director, Association of Community Cancer Centers