



Dear ENT Advocacy Network Member:

June 4, 2021

Legislative and political activity directly affects our practices and our patients. As a leading advocate for otolaryngology-head and neck surgery, we hope you enjoy reading this edition of *The ENT Advocate*, your premier source of advocacy information for the specialty!

Lead Story

Audiology Direct Access Legislation Introduced in U.S. Senate

On May 19, the “Medicare Audiologist Access and Services Act (MAASA) of 2021” (S. 1731) was introduced by Senators Elizabeth Warren (D-MA), Charles Grassley (R-IA), Jeanne Shaheen (D-NH), Sherrod Brown (D-OH), and Kyrsten Sinema (D-AZ). The legislation seeks to grant audiologists “direct access” to Medicare patients, eliminating the long-standing physician referral requirement in current law. For patient safety reasons, the AAO-HNS strongly opposes this legislation and its companion bill (H.R. 1587), introduced in the U.S. House of Representatives in March. Hearing and balance disorders are medical conditions that require a full patient history, physical examination, and medical diagnosis by a MD/DO. Please help the AAO-HNS continue our strong grassroots response, [demonstrating your opposition](#) on our advocacy website by sending a pre-written message to your lawmakers. All it takes is one click! Questions? Please contact the AAO-HNS Advocacy Team at govtaffairs@entnet.org for more information or to get involved.

Legislative and Political Reports

AAO-HNS Supports COVID-19 Physician Liability Protection Legislation

The AAO-HNS joined members of the [Health Coalition on Liability and Access](#) to offer its strong endorsement of H.R. 3021. The Coronavirus Provider Protection Act offers liability protection for physicians and other healthcare providers who act in good faith and abide by government guidelines while caring for patients during the COVID-19 pandemic. This bipartisan federal legislation would ensure the healthcare workforce serving on the frontlines of the pandemic are not punished with unwarranted lawsuits, while maintaining necessary patient protections.

May Edition of the State-mENT Now Available

Read the latest edition of [The State-mENT](#), an “at a glance” one-page resource outlining the Academy’s current state legislative activity. The AAO-HNS works closely with its volunteer physician State Trackers and state otolaryngology societies to advocate for the specialty at the state level. If you would like to become a State Tracker and take part in the discussion, please email LegState@entnet.org!

First Quarter “Your PAC Dollars at Work” Report Now Available

ENT PAC is an invaluable tool that strengthens the Academy’s overall legislative advocacy efforts. We understand the importance of providing transparency and a greater understanding about how decisions are made regarding the specialty’s political action committee. So, in 2018 ENT PAC launched a new quarterly report titled “Your PAC Dollars at Work”. View the [latest edition](#) summarizing ENT PAC activities in 2021. To invest in the future of the specialty, click [here](#)!

U.S. Senate Confirms Brooks-LaSure as New CMS Administrator

On May 27, following [confirmation in the Senate](#), Chiquita Brooks-LaSure was sworn in as Administrator for the Centers for Medicare & Medicaid Services (CMS), becoming the first Black female to hold this position. A former deputy director of CMS' Center for Consumer Information and Insurance Oversight, Brooks-LaSure will now oversee the agency's Medicare and Medicaid reform efforts.

Regulatory Reports

CMS Announces Reweighting of 2020 MIPS Cost Performance Category

On May 20, due to the continued impact of the COVID-19 Public Health Emergency (PHE) on clinicians, the Centers for Medicare & Medicaid Services (CMS) announced that it would be [reweighting the cost improvement category](#) under the Merit-based Incentive Payment System (MIPS) from 15% to 0% for the 2020 performance period. The 15% cost performance category weight will be redistributed to other performance categories. Clinicians do not need to take any action since the cost performance category relies on administrative claims data. This reweighting of the cost performance category applies in addition to the extreme and uncontrollable circumstances (EUC) policies. Clinicians who are not covered by the automatic EUC policy or who did not apply to request reweighting under the EUC policy will still have their cost performance category weighted to 0%.

CMS Announces Expansion of MIPS Extreme and Uncontrollable Circumstances Policy

On May 10, the Centers for Medicare & Medicaid Services (CMS) announced that, in response to the Federal Emergency Management Agency (FEMA) designation of the Texas Severe Winter Storm as a national disaster, its automatic extreme and uncontrollable circumstances policy will apply to [Merit-based Incentive Payment System \(MIPS\) eligible clinicians in FEMA-identified Texas areas](#). MIPS eligible clinicians in these areas will automatically receive a neutral payment adjustment for the 2023 MIPS payment year. However, if MIPS eligible clinicians in these areas choose to submit data on two or more performance categories, they will be scored on these submissions and receive a 2023 MIPS payment adjustment based on their 2021 MIPS final score.

CMS Proposes to Enhance the Medical Workforce in Rural and Underserved Communities

On April 27, the Centers for Medicare & Medicaid Services (CMS) released [the Fiscal Year \(FY\) 2022 Inpatient Prospective Payment System proposed rule](#). In addition to hospital payment and quality changes, CMS introduced proposals specific to graduate medical education (GME). These proposals include closing gaps in health equity in GME by making 1,000 new residency slots available over a five-year period starting in FY 2023 and addressing the adjustment of low per resident amounts. The Academy has actively advocated for years to increase residency slots to address the ongoing national physician workforce shortage. Following successful passage of the Consolidated Appropriations Act, 2021, the proposed rule would fund medical residency positions in rural hospitals and underserved communities.

Action Requested

AAO-HNS Needs Your Support! Say No to H.R. 1587/S. 1731

Now more than ever, the AAO-HNS needs your support. The "Medicare Audiologist Access and Services Act (MAASA) of 2021" has been introduced in both the U.S. House of Representatives and Senate (H.R. 1587/S. 1731). Your voice is needed to amplify our efforts on Capitol Hill and ensure your patients continue to receive the highest quality care. [Please click here](#) to access the action alert on the AAO-HNS Advocacy website. The alert includes a sample letter you can use to make your voice heard and stop this misguided legislation from advancing in Congress. With your support, we can make a difference! Tell Congress to say "No" to H.R. 1587/S. 1731.

Strengthening PROJECT 535

Given the ambitious legislative agenda for the 117th Congress, it's more important than ever for the Academy to strengthen its "key contacts" network via PROJECT 535. In addition to the Academy's overall advocacy efforts, PROJECT 535 volunteers help reinforce our message by establishing one-to-one relationships with

federal elected officials. This additional element of constituent-based outreach amplifies our advocacy efforts when Congress debates major issues affecting the specialty. The commitment is minimal, but the impact is immense. To help further strengthen our collective advocacy efforts, [sign up](#) today or contact govtaffairs@entnet.org for more information.

Sincerely,

Jeffrey S. Brown, MD
BOG Legislative Affairs Committee Chair
and the AAO-HNS Advocacy Team

For more information, contact govtaffairs@entnet.org. Don't forget to bookmark [The ENT Advocate!](#)

If you no longer wish to receive important legislative and political updates via *The ENT Advocate*, please reply to this email with CANCEL ADVOCATE in the subject line.

*Contributions to ENT PAC are not deductible as charitable contributions for federal income tax purposes. Contributions are voluntary, and all members of the American Academy of Otolaryngology-Head and Neck Surgery have the right to refuse to contribute without reprisal. Federal law prohibits ENT PAC from accepting contributions from foreign nationals. By law, if your contributions are made using a personal check or credit card, ENT PAC may use your contribution only to support candidates in federal elections. All corporate contributions to ENT PAC will be used for educational and administrative fees of ENT PAC, and other activities permissible under federal law. Federal law requires ENT PAC to use its best efforts to collect and report the name, mailing address, occupation, and the name of the employer of individuals whose contributions exceed \$200 in a calendar year.

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