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January 22, 2015

Ms. Jo Ann Jenkins
Chief Executive Officer
AARP
601 E St, NW
Washington, DC 20049

Ms. Jenkins:

The American Association of Orthopaedic Surgeons (AAOS), representing 18,000 orthopaedic surgeons across the United States, would like to express our concern over your recent support of H.R. 2914, introduced by Congresswoman Jackie Speier.

H.R. 2914, the Promoting Integrity in Medicare Act of 2013, would limit patient access to in-office services that physicians provide under the physician self-referral or Stark law. If enacted, this bill would limit access to services for many patients – particularly seniors and the mobility impaired - making care less accessible. It would raise the costs to Medicare beneficiaries and the Medicare program by driving patients to more costly facilities. Ultimately, it would have a negative impact on patient care.

The Stark law currently allows physicians to provide some services in the office setting, including advanced diagnostic imaging (MRI, PET, and CT scans), radiation therapy, anatomic pathology, and physical therapy, when complex and detailed supervision, location, and billing requirements are met. Integration of these medical services facilitates the development of coordinated clinical pathways, improves communication between specialists, offers better quality control of ancillary services and enhances data collection – all of which improves patient care and maximizes efficiencies. In addition, in-office patient access to these services can facilitate immediate diagnosis, physician communication with other members of the care team, and rapid, appropriate treatment of the disease condition.

H.R. 2914 would prohibit all these services in an office setting, force patients to receive services in a new and unfamiliar setting, increase costs, present significant barriers to appropriate screenings and treatments, and make health care less accessible. In its June 2011 Report to Congress, the Medicare Payment Advisory Commission (MedPAC) recommended against limiting the Stark law exception for ancillary services, citing potential “unintended consequences, such as inhibiting the development of organizations that integrate and coordinate care within a physician practice.”



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The General Accounting Office (GAO) recently issued a series of reports on self-referral and flatly rejected the recommendation to limit the Stark exception. It is our hope that the AARP would withhold any support of the legislation if it is reintroduced in the 114th Congress. Thank you for your consideration. Should you have any further questions, please do not hesitate to reach our Washington, DC office at 202-546-4430.

Sincerely,

A handwritten signature in black ink that reads "Frederick M. Azar, MD". The signature is written in a cursive style with a large initial 'F' and a checkmark-like flourish at the end.

Frederick M. Azar, MD
President
American Association of Orthopaedic Surgeons

Cc: Karen Hackett, AAOS CEO, FACHE
William Shaffer, MD, AAOS Medical Director