

**SSAT Representative to American College of Surgeons Board of Governors**  
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- **Reforming America's Health Care Delivery System**  
Frank Opelka, MD, FACS, Chair of the ACS Patient Safety and Quality Improvement Committee, represented the College at a recent Senate Finance Committee roundtable discussion on "Reforming America's Health Care Delivery System." The College of Surgeons and the American College of Physicians were the only two physician organizations among the 12 panelists to be included in the roundtable discussion. Dr. Opelka's testimony highlighted the numerous successful efforts the College has undertaken to improve the quality of surgical care, advocate for system reforms based on sound clinical data, discussed the ACS proposal for Medicare payment reform, and cautioned against actions that could worsen workforce shortages by cutting surgical payments to finance other initiatives. The Senate Finance Committee subsequently produced a white paper which laid out various policy options including a proposed 5% bonus for certain services provided by general surgeons in underserved rural areas. That same committee met in a closed-door executive session to consider policy options for health care reform, including possible changes in Medicare physician payment.
- **Response to "Transforming the Health Care Delivery System"**  
The College and 19 other surgical organizations submitted comments regarding the white paper from the Senate Finance Committee. This 20-page response expresses support for a transitional payment reform system that would replace the current structure with one based on type-of-service and opposition to proposals that would finance increased payments for some physician services through reduced payments for others. A copy of the letter is available at: <http://www.facs.org/ahp/surgfinance051509.pdf>.
- **Small Business Practices**  
On April 28, ACS advocacy staff were part of a select group of organizations included in a roundtable discussion with House leaders to examine health care challenges facing small businesses, including small surgical practices.
- **Medicare Physician Payment Reform**  
In April and May, ACS leadership met with a group of Democratic and Republican legislators to discuss Medicare physician repayment reform. The group addressed the College's statement on Health Care Reform and the College's opposition to proposals that would finance increased payments for primary care services through reduced payments to other services.
- **Government Accountability Office Appointments**  
The Government Accountability Office announced the reappointment of Karen Borman, MD, FACS and Ron Castellanos, MD, FACS to the Medicare Payment Advisory Commission. They are currently the only surgeons in active practice who serve on the panel.

- **Letter to Congressional Leaders Regarding Medicare Payments**  
Representatives Shelley Berkley (D-NV) and Mark Kirk (R-IL) lead a coalition of 90 representatives in sending a letter to House Speaker Nancy Pelosi (D-CA) and Republican Minority Leader John Boehner (R-OH) asking that the House take action this year to increase Medicare payments to physicians in 2010 and to initiate much-needed long-term reform of the Medicare reimbursement system.
- **American College of Surgeons Political Action Committee**  
The ACSPAC has raised more than \$241,939 from 873 Fellows and staff this year. The PAC for the American College of Surgeons has attended 71 Washington, DC fundraisers for members of Congress so far this year.
- **Administration Trauma and Emergency Services Program**  
In April, ACS advocacy staff and their colleagues at organizations that are concerned about trauma and emergency care met with the Acting Director of the Emergency Care Coordination Center (ECCC) and Obama representatives to learn more about the ECCC and the Obama administration's budget plans for regionalizing emergency care. Under the President's proposal, the ECCC will be involved in setting national standards for emergency care performance measurement. The ACS has requested that funding for the Health Resources and Services Administration's Trauma and Emergency Medical Services program be set at \$12 million due to lack of funding in prior years. In an effort to ensure passage of the necessary legislation, the ACS and trauma coalition colleagues have sent a funding request letter to the House and Senate appropriators.
- **Uncompensated Service and Time Act**  
The American College of Surgeons has worked closely with legislative advisors to ensure reintroduction of the Mitigating the Impact of Uncompensated Service and Time Act, H.R.1678. This legislation would provide physicians a deduction equal to the amount of the Medicare fee schedule payment to help alleviate the financial burden associated with providing uncompensated care mandated by the Emergency Medical Treatment and Labor Act (EMTALA). Similarly, the College successfully sought reintroduction of H.R. 1188/S.468, The Access to Emergency Medical Services Act, introduced by Bart Gordon (D-TN) and Debbie Stabenow (D-MI). This legislation would provide a 10 percent added bonus payment through Medicare to all physicians who provide EMTALA-related care to Medicare beneficiaries, including on-call specialists whose services are needed to stabilize the patient.

In a similar vein, the College has worked with representatives Bart Gordon (D-TN) and Charlie Dent (R-PA) to ensure that the Health Care Safety Net Enhancement Act, H.R. 1998, would be introduced in Congress. This legislation would provide liability protection under the Federal Tort Claims Act for physicians providing EMTALA-related care.

- **Federal Trade Commission and “Red Flags Rule”**

The Federal Trade Commission announced that it would delay enforcement of the “Red Flags Rule” until August 1<sup>st</sup>. This rule requires entities that regularly extend, renew or continue credit to establish a written program for preventing identity theft and to detect and respond to warning signs of such activity. The postponement is designed to give creditors, which the FTC says includes physicians who receive delayed payment for services, more time to develop and implement written identity theft prevention programs.
- **Miscellaneous**

Of interest is recent passage of House Bill 481 in the state of Florida which would require that trauma centers receive 20 percent of the revenues collected from drivers charged with failing to stop for a school bus, racing on highways, and reckless driving. A similar bill (H.B. 439), which would require that 20 percent of the revenue accumulated by local counties and municipalities from drivers caught on camera running a red light would go to trauma centers was defeated.