

August 23, 2009

Honorable Luis G. Fortuño
Governor
Puerto Rico

Dear Governor Fortuño:

The American College of Cardiology (ACC), a world recognized cardiovascular organization and leader in decision making processes in cardiology, is interested in making you aware of the potential harm that exists if the recent proposed payment cuts made on July 2009 by the Center for Medicare and Medicaid Services (CMS) Notice of Proposed Rulemaking (NPRM) for the 2010 Medicare Physician Fee Schedule are accepted by Congress.

CMS proposed several technical changes in how payments are calculated that add up to a projected overall 11% decrease in Medicare payments for cardiology services. Reimbursements for almost all services cardiology practices provide to Medicare patients would see cuts ranging from 10 percent to more than 40 percent. For example, payments for stress tests would be cut by 22 percent; payments for echocardiograms would be cut by 42 percent; payment for stent placements would be cut by 12 percent; and payments for pacemaker monitoring would be cut by 19 percent. Some of the services scheduled to receive the most severe cuts, such as echocardiography, were already subject to cuts in payment over the past 5 years.

Most significant for cardiology is a proposal to use the statistical information from the new (American Medical Association) AMA Physician Practice Information (PPI) survey to determine the practice expense portion of cardiology payments. ACC has grave doubts about the validity of the survey process and the quality of the data.

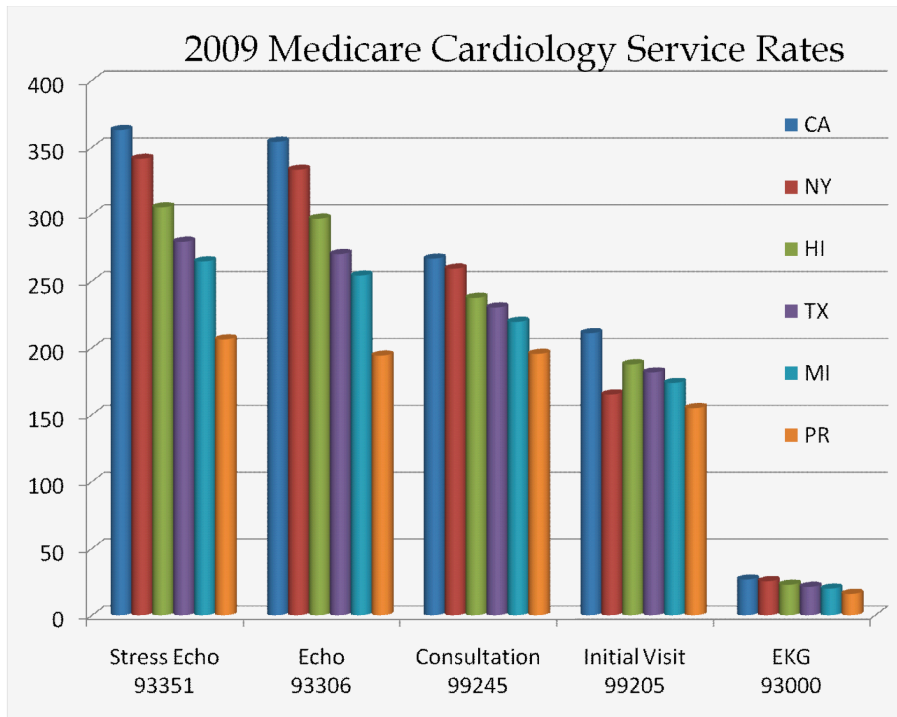
1. CMS did not apply the rigorous standards that were developed for evaluating earlier surveys to the new AMA data. CMS said that it did not believe that the data needed to be precise.
2. CMS only released the data that would allow a review of its precision on July 13, 2009. Reviews of the precision of that information showed that responses for many specialties did not meet the tests required for previous data.
3. For previous submission of data, a detailed report was made publicly available on the validity of the presented data. This was not done in this case.
4. For previous years, data has been required to be submitted by March 1 in order to allow a review of the information to be incorporated into the proposed rule. Again, this was not the case..

- The cardiology practice expense per hour data are based on responses from only 55 respondents. Only a handful of specialties met the survey's stated goal of 100 respondents per specialty.

In view of such incorrectly obtained information that CMS is using to make decisions related to this delicate topic ACC requests that the Administration withdraw the proposal to use the AMA survey data for next year's fee schedule and urges persons like you, Governor Fortuño, to assist us in making our voice be heard in Congress.

These changes will impact Puerto Rico even 20-25 percent more! As I reported to you last September 2007 (Information left to you through Mr. Ballori in my Capitol Hill visit when you were the Puerto Rico Resident Commissionate) our island has always been under 20-25% reimbursement rate from Medicare since long ago. (Figure 1)

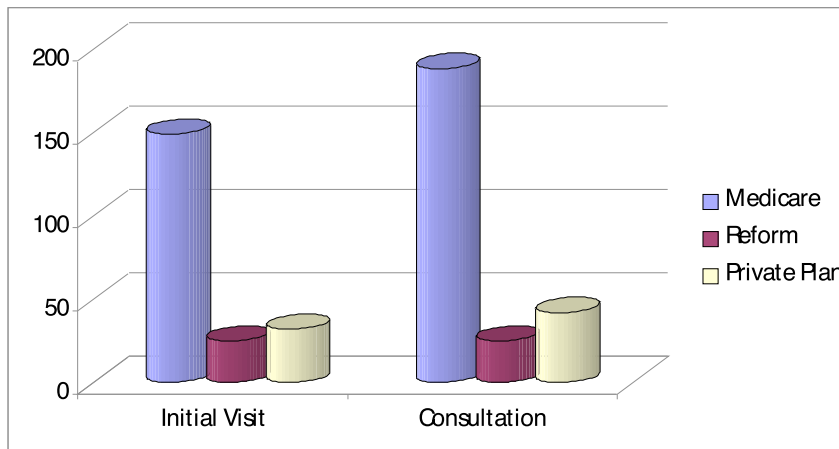
Figure 1



At this moment the reason for this fact is not important. What is really important is that if these cuts apply next year our physicians will receive the worst reimbursement impact for any state or territory in the United States of America. Another important issue is the fact that in the continental United States the “less desired” medical plan by physicians is Medicare. This is due to less reimbursement fees than in other private plans. In Puerto Rico the “best reimbursement fees” are from Medicare! So we are more dependent on Medicare changes than in the United States (Figure # 2)

Figure 2

2009 Medical Service Rates of Puerto Rico



Added to this we must remember that every time Medicare changes the Puerto Rican private plans abide to the same changes worsening the situation.

The Puerto Rico Chapter of the ACC respectfully requests your assistance in preventing this catastrophe from happening. We urge to you to contact your peers in the White House and Congress and help us avoid this impending economical abuse to our medical class.

In case you consider the need for a personal interview to clarify this topic or any other related to our cardiovascular practice please feel free to contact me at the phones and address of the Puerto Rico ACC chapter.

Respectfully,

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