

July 20, 2009

The Honorable Henry Waxman
Chairman, Energy and Commerce Committee
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

RE: Opposition to Weiner Amendment to Limit Physician Self-Referral

Dear Chairman Waxman:

The undersigned organizations are writing to express our strong opposition to the Weiner Amendment to H.R. 3200 that would limit in-office ancillary services. As we understand it, this Amendment incorporates H.R. 2962, the “Integrity in Medicare Advanced Diagnostic Imaging Act of 2009,” and would undermine health care quality, efficiency, and the continuity of care for our patients and we are strongly opposed to its enactment.

The Physician Self Referral Law, also known as the “Stark Law,” provides an exception for in-office ancillary services which include the use of advanced diagnostic imaging services. This exception protects services ancillary to the referring physician’s professional services which meet certain billing, supervision, and location requirements, including services performed by a physician in the same group practice. It recognizes that referral within a group practice promotes quality, efficiency, and advances the continuity of care offering substantial benefit to our patients.

The Weiner Amendment would eliminate this exception that many physicians use to provide access to imaging services for prevention, early detection, diagnosis and treatment of diseases that our patients rely upon everyday. Enactment of the Weiner Amendment will make health care less accessible, increase inefficiencies and present significant barriers to appropriate screenings and treatments.

Professional medical societies are taking significant steps to ensure that only medically necessary imaging procedures are performed and, as a result, growth rates are declining. We are developing training guidance, appropriate use criteria, guidelines and other clinical documents to guide our members into delivering the most appropriate care. These additional safeguards strike an appropriate balance and ensure higher quality care.

We, therefore, urge you to VOTE NO on the Weiner Amendment.

Sincerely,

American Academy of Neurology
American Association of Neurological Surgeons
American Association of Orthopaedic Surgeons
American Academy of Otolaryngology—Head and Neck Surgery

American Medical Group Association
American College of Cardiology
American College of Gastroenterology
American College of Physicians
American College of Rheumatology
American College of Surgeons
American Gastroenterological Association
American Society for Gastrointestinal Endoscopy
American Society of Echocardiography
American Society of Nuclear Cardiology
American Society of Neuroimaging
American Urological Association
Cardiology Advocacy Alliance
Congress of Neurological Surgeons
Heart Rhythm Society
Medical Group Management Association
Society for Cardiovascular Angiography and Interventions
Society of Cardiovascular Computed Tomography
Society for Cardiovascular Magnetic Resonance

cc: House Energy and Commerce Committee