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ASTRO asks CMS to stop proposed radiation oncology payment cuts

Fairfax, Va., September 2, 2009 – ASTRO, the American Society for Radiation Oncology, submitted official comments to the Centers for Medicare and Medicaid Services (CMS) asking it to stop its proposed changes to the Medicare policies and payment rates for physician services, including radiation oncology, that would cut radiation therapy services by nearly 20 percent.

In response to the July 13 Medicare physician fee schedule proposed rule, ASTRO wrote CMS urging it to withdraw its proposal to increase the equipment utilization rate for radiation therapy. ASTRO also asked CMS to delay implementation of new physician practice information survey data pending a review of the information and ASTRO's concerns.

New technology and improved techniques have allowed radiation oncologists to dramatically improve how they target radiation to more effectively eliminate cancer cells while protecting healthy tissue. This has allowed radiation oncologists to improve cure rates while decreasing painful side effects, allowing patients to not only survive, but thrive after their cancer treatments.

While CMS projects the overall impact of the payment reductions to be 19 percent, the rates for certain needed cancer services would be reduced by up to 44 percent. An ASTRO survey conducted in July found that cuts of this scale would have a particularly devastating effect on freestanding and community-based cancer centers, causing many to close, stop accepting Medicare patients and reduce critical services to cancer patients.

The extreme cuts are due in part to CMS increasing the utilization rate for equipment costing more than \$1 million from 50 to 90 percent. By increasing the utilization rate, the payment for each service is reduced significantly. CMS did not reference any actual data for radiation therapy equipment in proposing to increase the rate to 90 percent, basing its proposed change on expanding a Medicare Payment Advisory Commission (MedPAC) recommendation focused on diagnostic imaging equipment. In its official comments on Medicare's

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proposal (available at www.medpac.gov) August 31, MedPAC said it “did not contemplate” applying its recommendation to increase the equipment utilization rate to radiation therapy machines.

ASTRO also told CMS there are problems with the agency’s method for calculating practice expenses, issues with the proposed changes in malpractice RVUs, an inappropriate proposal to eliminate consultation codes, and a need for significant adjustments to the physician practice information survey data for radiation oncology. ASTRO provided CMS a detailed analysis showing that PPIS data for radiation oncology was improperly weighted and distorted.

“We believe we have identified several areas for CMS to explore as it finalizes the proposed rule for physician services. We hope the agency will consider these recommendations for the sake of the hundreds of thousands of cancer patients we serve each year,” said Patricia Eifel, M.D., FASTRO, a radiation oncologist at M.D. Anderson Cancer Center in Houston and Chairman of ASTRO.

Also today, Reps. Lois Capps (D-Calif.), Sue Myrick (R-N.C.), Mike Rogers (R-Mich.) and Parker Griffith (D-Ala.) and 59 other House members sent a letter to Health and Human Services Secretary Kathleen Sebelius asking her to reconsider the proposed cuts. A similar letter is circulating in the Senate, with 10 senators already committed to sign on to a letter led by Sens. Blanche Lincoln (D-Ark.) and Richard Burr (R-N.C.). ASTRO applauds the commitment and leadership of these lawmakers for protecting cancer patient access to radiation therapy.

The House letter and the entire 26-page ASTRO comment letter with attachments can be found at www.astro.org/medicarecuts. For more information or to ask your member of Congress to help stop the cuts, visit www.rtanswers.org. Contact ASTRO at communications@astro.org or 703-502-1550 for a copy of the survey.

ASTRO is the largest radiation oncology society in the world, with more than 10,000 members who specialize in treating patients with radiation therapies. As the leading organization in radiation oncology, biology and physics, the Society is dedicated to improving patient care through education, clinical practice, advancement of science and advocacy. For more information on radiation therapy, visit www.rtanswers.org. To learn more about ASTRO, visit www.astro.org.

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