

United States Senate

WASHINGTON, DC 20510

October 18, 2021

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
P.O. Box 8016
Baltimore, MD 21244-8013

Dear Administrator Brooks-LaSure,

We write to express ongoing concerns with the proposed alternative payment model (APM) for radiation oncology services, known as the Radiation Oncology Model (RO Model), as well as Centers for Medicare & Medicaid Services (CMS) proposals to reduce Medicare payments to radiation oncology providers in 2022. We recognize the valuable role radiation therapy plays in meeting the needs of oncology patients and are concerned these proposed cuts could jeopardize their access to high-quality treatment.

Congress has acted in a bipartisan manner on numerous occasions to protect patient access to radiation therapy. In 2015, Congress passed legislation requiring that Medicare maintain payment rates while CMS worked with the radiation oncology community to develop an APM. The goal of this APM was to create a value-based payment model for these services without drastic fluctuations in payment rates that could jeopardize access for seniors. Congress acted again in 2018 to extend the payment freeze until December 31, 2019, providing additional time for CMS to continue engagement with stakeholders on the design and structure of the model. Most recently, in 2020, Congress passed legislation delaying the start date of the RO Model to January 1, 2022.

As we explained to your predecessor, we believe implementation of the RO Model could benefit both health care providers and Medicare enrollees alike. Prospective episode-based payments, if structured correctly, can provide stable and sustainable payments for these life-saving services while helping ensure seniors are able to access care in their own communities. We appreciate that CMS acknowledged the concerns of many, including ourselves, by slightly reducing the discount factors in a recent revision of the model. That said, we continue to hear numerous objections from health care providers and Medicare beneficiaries to the model's current form. As such, we again urge CMS to address remaining concerns with the breadth and mandatory nature of the model. Specifically, we encourage the agency to consider additional reforms, such as further adjustments to the discount factors and reductions to administrative burdens that would assist in facilitating our shared goal of advancing value-based cancer care.

In addition to proposed cuts under the RO Model, we are concerned that the proposed physician fee schedule for 2022 would reduce payments for radiation oncology by five percent, mostly stemming from changes to clinical labor pricing and corresponding reductions in the valuation of services with significant equipment and supply costs. These cuts could be particularly punitive to

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patients with cancers of the prostate, breast, and lung. For example, the proposed fee schedule, coupled with other scheduled changes, would reduce payments for breast and prostate cancer care by 13%, and a cutting-edge lung cancer treatment by 22%. We are concerned that devaluing these services could have chilling effects on patient access to life-saving care and urge CMS to mitigate the impact on radiation oncology providers.

Thank you for your consideration of these matters. We remain committed to value-based payment for radiation therapy services that improves quality of care and maintains access to these life-saving treatments for seniors. We look forward to working with you to meet these critical goals.

Sincerely,

/s/ Richard Burr

Richard Burr
United States Senator

/s/ Debbie Stabenow

Debbie Stabenow
United States Senator

/s/ Roger Marshall, M.D.

Roger Marshall, M.D.
United States Senator

/s/ Jacky Rosen

Jacky Rosen
United States Senator

/s/ Tim Scott

Tim Scott
United States Senator

/s/ Mazie K. Hirono

Mazie K. Hirono
United States Senator

/s/ James E. Risch

James E. Risch
United States Senator

/s/ Tom Carper

Tom Carper
United States Senator

/s/ Roy Blunt

Roy Blunt
United States Senator

/s/ Christopher A. Coons

Christopher A. Coons
United States Senator

/s/ Mike Braun

Mike Braun
United States Senator

/s/ Margaret Wood Hassan

Margaret Wood Hassan
United States Senator

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/s/ Marsha Blackburn
Marsha Blackburn
United States Senator

/s/ Martin Heinrich
Martin Heinrich
United States Senator

/s/ James Lankford
James Lankford
United States Senator

/s/ Jon Tester
Jon Tester
United States Senator

/s/ Steve Daines
Steve Daines
United States Senator

/s/ John Kennedy
John Kennedy
United States Senator