

Protecting Patients' Timely Access to Care



Regulatory Relief Coalition

**2024
Annual Report**

RRC
Regulatory  Relief Coalition

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Executive Summary

The Regulatory Relief Coalition (RRC) led the way in Washington, championing physicians in service of our nation's seniors on Capitol Hill and with the Administration. RRC was active in advancing policies that improve prior authorization (PA) and establish oversight of Medicare Advantage (MA) organizations through close contact with PA reform champions and staff in both the U.S. Senate and House of Representatives.

LANDMARK PRIOR AUTHORIZATION REGULATIONS FINALIZED

In January, the Centers for Medicare & Medicaid Services (CMS) finalized regulations that would require MA, Medicaid, Children's Health Insurance Program (CHIP), and Qualified Health Plan issuers on the federally facilitated exchanges to convey PA determinations within 72 hours for urgent requests and 7 days for non-urgent as well as requiring plans to detail a specific denial reason and report metrics publicly on PA. RRC commended CMS for finalizing these regulations and encourages future work on prescription drug PA and transparency.

MAJORITY IN CONGRESS SUPPORTS SENIORS' ACT

In June, the eight House and Senate champions introduced the *Improving Seniors' Timely Access to Care* (Seniors') Act with 42 Senate and 130 House original cosponsors. Ahead of introduction, RRC worked closely with House and Senate champions to make mindful changes to the legislation to reduce the Congressional Budget Office (CBO) score to zero. Following introduction, RRC led discussions with Hill champions to address CMS technical assistance (TA) on the bill's implementation. RRC secured support from a majority of the House (232), a supermajority of the Senate (60), and 500+ organizations.

We are confident RRC will continue to be an important resource to policymakers as they improve MA to be more transparent, efficient, and effective for seniors and the physicians who care for them.

About the Regulatory Relief Coalition

The RRC is a group of national physician specialty organizations advocating for regulatory burden reduction in Medicare so that physicians can spend more time treating patients.

Comprised of 17 national physician organizations and 2 allied organizations.

The leading voice for prior authorization (PA) reforms in federal legislation and regulation.



FOCUS

Common sense reform of Medicare Advantage (MA) plans use of PA.



GOAL

Ensure PA is removed as a barrier to timely access to care through passing the *Improving Seniors' Timely Access to Care Act (Seniors' Act)*.



RESULTS

The leading group in contact with bill champions and leadership staff, advising them on a myriad of policy, legal, and political matters.

RRC is the driving force behind the Improving Seniors' Timely Access to Care Act and multiple CMS finalized rules reforming prior authorization.

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RRC Members



RRC Allies



Member & Ally

Key Contributions

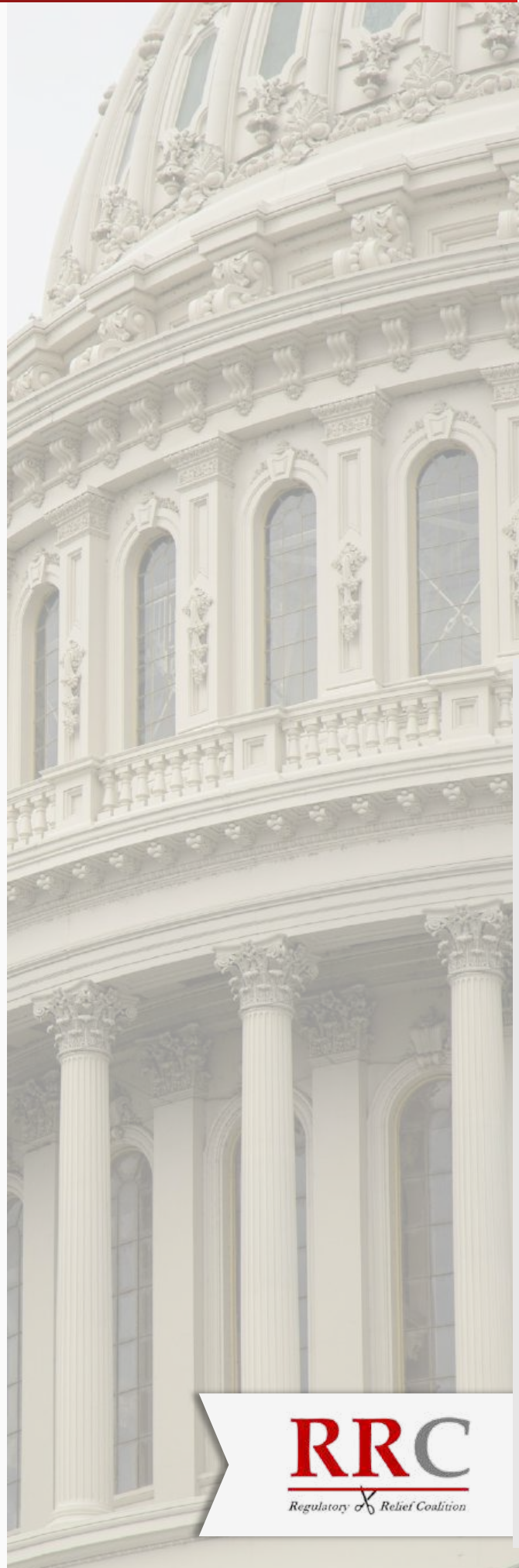
RRC's work would not be possible without the commitment and dedication of our member and allied organizations. Each leveraged their organization's strengths and resources to collectively help reduce patient barriers to timely access to care.

MEMBERS

Special thanks to the American Academy of Ophthalmology (AAO), the American Association of Neurological Surgeons (AANS), and the Congress of Neurological Surgeons (CNS), RRC founders who served as coalition leaders providing the vision for RRC's past and future strategy successes. RRC members have been especially active in advancing the coalition's work as noted below.

Social Media Engagement

Thank you to our members for continued social media engagement. Members actively participated in awareness campaigns by posting and sharing RRC content. RRC achieved unprecedented success for the coalition in social media reach, garnering tens of thousands of views on five separate posts shared on Twitter/X.





Direct Lobbying for Seniors' Act Cosponsors

Outstanding Participation

- American Academy of Orthopedic Surgeons
- American College of Cardiology
- American College of Surgeons

Frequent Participation

- American Academy of Family Physicians
- American Academy of Neurology
- American Association of Neurological Surgeons/ Congress of Neurological Surgeons
- American Gastroenterological Association
- American Osteopathic Association

Reliable Participation

- American Academy of Ophthalmology
- American Academy of Physician Medicine and Rehabilitation
- American College of Rheumatology
- American Society of Clinical Oncology
- Society for Cardiovascular Angiography & Interventions

ALLIES

RRC allies Premier, Inc., and the National Association for Proton Therapy also played a pivotal role in lobbying, grassroots, social media engagement, and research and analysis.

Legislative & Regulatory Highlights | 2024

RRC spearheaded initiatives reforming PA within Congress and CMS including active engagement in the introduction of the *Improving Seniors' Timely Access to Care Act*.

JAN	RRC applauds CMS finalizing electronic prior authorization rule instituting new protections for beneficiaries.
MARCH	RRC works with House and Senate champions on mindful adjustments to the Seniors' Act language to propel passage.
APRIL	CMS finalizes MA CY 2025 rule and implements PA policies supported by RRC.
MAY	RRC sends letter of support to Senate Budget Committee for holding hearing on administrative burden.
MAY	RRC activates grassroots and supporter network to secure cosponsors and endorsers for bill introduction.
JUNE	Seniors' Act introduced with 130 House and 42 Senate original cosponsors and hundreds of endorsers.
JULY-AUG	RRC meets with 60+ House and Senate offices to request cosponsorship.
OCT	RRC sends letter to House and Senate leadership requesting passage this year and CBO scoring
OCT	Seniors' Act receives a \$0 preliminary score from CBO
NOV	Sen. Thune, long-time champion of PA reform, elected Majority Leader. RRC sends letter of congratulation.
DEC	Champions and cosponsors contact leadership to encourage inclusion of Seniors' Act in end of year legislation.
DEC	RRC secures 232 House cosponsors and 60 Senate cosponsors.



Legislative Action

Improving Seniors' Timely Access to Care Act (*Seniors' Act*)

CLEARING HURDLES TO PASSAGE: ACHIEVING \$0 CBO SCORE

The Congressional Budget Office (CBO) is the non-partisan budget estimator for Congress that determines the cost or “score” of legislation. High scoring legislation is unlikely to pass into law. Over the course of two years, RRC worked with Congressional champions to remove any fiscal barriers to passage, ultimately reducing the \$16 billion score assigned in 2022 to \$0.

SEPTEMBER 2022

Seniors' Act passes the House by voice vote. CBO assigns a \$16B score.

DECEMBER 2022

CMS proposes rule that mirrors provisions of the *Seniors' Act*.

JANUARY 2024

CMS finalizes rules. CBO revises score estimate to \$4B.

MARCH 2024

RRC assists Congressional champions to modify bill.

JUNE 2024

Newly revised *Seniors' Act* reintroduced to the 118th Congress.

OCTOBER 2024

CBO assigns a \$0 preliminary score to the *Seniors' Act*

KEY PROVISIONS

The *Seniors' Act* would put patients over paperwork by modernizing the PA process, providing transparency, and additional oversight to the MA program:

- Establish e-PA program for MA plans including a standardization for transactions and clinical attachments.
- Increase transparency around MA PA requirements and their use.
- Clarify CMS' authority to establish timeframes for e-PA requests including expedited determinations, real-time decisions for routinely approved items and services, and any other PA request.
- Expand beneficiary protections to improve enrollee experiences and outcomes.
- Require the Secretary of HHS and other agencies to report to Congress on program integrity efforts and other ways to further improve the e-PA process.



Support for the *Seniors' Act*

RRC GAINS 500+ ENDORSEMENTS

More than 245 national organizations and over 255 regional, state and district organizations, representing patients, health plans, health care providers, the medical device and biopharmaceutical industry endorsed the *Seniors' Act*. RRC matched and exceeded the number of endorsers in the 117th Congress.



U.S. HOUSE OF REPRESENTATIVES

232

COSPONSORS

140 Democrats

92 Republicans

- 35** Energy & Commerce Committee
- 36** Ways & Means Committee
- 21** Budget Committee
- 12** GOP Doctors Caucus

U.S. SENATE

60

COSPONSORS

32 Democrats

27 Republicans

1 Independent

- 16** Senate Finance Committee
- 12** Senate Health, Education, Labor, and Pensions Committee
- 10** Senate Homeland Security Committee

53% of House Members | 60% of Senate Members

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RRC Endorsed Legislation in the 118th Congress

RRC endorsed legislation that would reduce administrative burden for clinicians, streamline PA, and increase transparency of payers.
Letters of support are available on the RRC website.



GOLD CARD Act (H.R. 4968)

This bill would increase efficiency for physicians and enable patients to receive timely, high-quality care by allowing physicians with high approval rates to bypass prior authorization requirements imposed by MA plans.



Reducing Medically Unnecessary Delays in Care Act of 2023 (H.R. 5213)

This bill would reform PA in Medicare, MA, and Part D by requiring that all PA adverse determinations must be made by a licensed physician who is board certified in the specialty relevant to the health care item or service requested.



E-PA for Prescription Drugs Act (S. 4349)

This legislation would establish a secure electronic prior authorization process for prescription drug plans in the commercial market.



No Fees for EFTs Act (H.R. 6487/ S. 3805)

This bill would prohibit health care plans from imposing fees on health care providers for electronic funds transfers (EFTs).

All bills are expected to be reintroduced in the 119th Congress.



Regulatory Action

2024 Regulatory Efforts

CMS FINALIZES E-PA RULE

RRC championed the finalization of the e-PA rule that included provisions aligning with the *Seniors' Act*. The rule was finalized on January 17, 2024, and the RRC published a press release in support. RRC produced a detailed side-by-side comparison for members to analyze the regulation compared to versions of the *Seniors' Act*.

CMS FINALIZES CY 2025 MA RULE

RRC supported the finalization of key utilization management provisions and wrote comments in support of this proposed rule in early 2024. This final rule would require MA plans to hire a health equity expert to review policies, conduct annual health equity analyses of prior authorization data, and publicly post the health equity analysis results.

PA DEMONSTRATION FOR AMBULATORY SURGICAL CENTER SERVICES

RRC submitted comments to CMS on the Prior Authorization Demonstration for Ambulatory Surgical Center Services, which would require Ambulatory Surgical Centers to obtain prior authorization before providing certain surgical procedures. RRC provided several questions to CMS about this demonstration and expressed concerns regarding the proposed information collection activity.

REQUEST FOR INFORMATION ON MA DATA

RRC responded to CMS' Request for Information about additional data collection that may be useful with respect to the MA program. In the comments, RRC emphasized that additional data collection from MA plans can provide additional oversight into the impact of prior authorization.

Public Engagement



Public Engagement Highlights | 2024

RRC was frequently quoted five times in DC area publications and published three press releases to highlight advancements in PA reform. RRC also presented at five organizational events.

JAN	RRC distributes press release applauding CMS for finalized e-PA rule establishing electronic prior authorization.
FEB	RRC creates social media campaign celebrating finalization of the e-PA rule.
MARCH	RRC publishes a Seniors' Act fact sheet.
MAY	RRC launches new website after undergoing a comprehensive redesign.
JUNE	RRC distributes press release on introduction of the Seniors' Act with massive House, Senate, and stakeholder group support. RRC executes grassroots and social media campaign to encourage Congress to cosponsor.
JULY	RRC launches "What physicians are saying" campaign highlighting physician quotes from RRC member organizations.
AUG	Active engagement on social media through "Thank you" posts to champions and cosponsors of the <i>Seniors' Act</i> .
SEPT	RRC executes #PassTheSeniorsAct week on X (formerly known as Twitter) to rally support & highlight Congressional majority.
OCT	RRC launches grassroots constituent letter campaign for 500+ <i>Seniors' Act</i> endorsing organizations.
DEC	RRC social media campaign mobilizes allies for the <i>Seniors' Act</i> .

Website Relaunch

In 2024, the RRC launched a new website after a comprehensive redesign to enhance its navigational efficiency and visual appeal.

The screenshots illustrate the website's structure and content:

- Navigation:** A top navigation bar with links for About, Legislation, Regulation, Campaigns, and Media Center.
- Main Content:** A large hero section titled "The Improving Seniors' Timely Access to Care Act" with a sub-headline and a brief description of the act's purpose.
- Call to Action:** A prominent button labeled "Read 118th Seniors Act Full Text" with sub-links for "Endorse the Bill", "View Seniors Act Redline", and "View Section by Section Summary".
- News Section:** A section titled "In The News" featuring a grid of news stories, such as "Roll Call, January 17, 2024 – Biden administration finalizes prior authorization changes" and "Inside Health Policy, May 8, 2024 – Marshall to Reintroduce Bipartisan MA Prior Auth Bill After CBO Slashes Score to Zero".
- Campaigns:** A section titled "Campaigns" with a background image of the US Capitol building and text stating: "The Improving Seniors' Timely Access to Care Act has been introduced in the 118th Congress! See below for cosponsor and endorser information."
- Statistics:** A section titled "118th Congress" for "The Improving Seniors' Timely Access to Care Act S. 4532/H.R. 8702" with the following data:
 - 229 Cosponsors (See House Cosponsors)
 - 59 Cosponsors (See Senate Cosponsors)
 - 440+ Endorsing Organizations (See Endorsement List)

Top Social Media Campaigns



RULE FINALIZATION CAMPAIGN | JANUARY 2024

RRC announced CMS's finalization of the landmark e-PA rule, highlighting the significant protections this new regulation provides for seniors.



BILL INTRODUCTION CAMPAIGN | JUNE 2024

RRC created a series of graphics that feature physicians from RRC member organizations speaking to the burden of PA in their medical practices as part of the social campaign highlighting the introduction of the *Seniors' Act* in the 118th Congress.



#PassTheSeniorsAct CAMPAIGN | SEPTEMBER & DECEMBER 2024

RRC galvanized the 500+ supporting organizations of the *Seniors' Act* to draw attention to the pressing issues of PA and MA plans to increase cosponsors and encourage passage.





Looking Ahead to 2025

2025 RRC AGENDA

CHAMPIONING REGULATORY RELIEF FOR PATIENTS AND CLINICIANS AS THE LEADING COALITION ON THE HILL FOR PA & MA POLICY.

Passing the *Seniors' Act* will be the logical next step for this new Congress, to ensure codification of the important policies in bipartisan legislation. RRC is already leading conversations on the Hill to encourage swift passage.

Expanding the work of RRC beyond MA. The *Seniors' Act* has already encouraged look-alike legislation including applying electronic prior authorization and transparency policies to commercial plans.

Continuing to champion legislation that expands protections in the *Seniors' Act* to prescription drugs in MA, Medicare Part D, and other payors. RRC is already being enlisted for endorsements in 2025.

Engage Secretary of Labor and the agency's Office of the Inspector General to investigate the use of PA by ERISA plans and support ERISA PA reform in Congress.

Investigating other MA plan abuses that deny and delay care for patients such as post-service payment denials, recoupments, and PA repeals processes.

Continuing to monitor and submit comments on upcoming CMS proposed rules related to MA and PA. The use of Artificial Intelligence (AI) is an important issue for regulations, and there will be more clarity in 2025 in how CMS and other federal agencies plan to address it.

Fighting to protect the final rules on e-PA and MA that establish prior authorization protections for beneficiaries. Monitoring the implementation and enforcement of the new PA provisions at CMS.

ACKNOWLEDGEMENTS

We thank RRC members and allies for your continued support in our coalition's efforts to reduce delays and denials in care for patients.



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