



October 17, 2023

The Honorable Brett Guthrie
Chairman of Subcommittee on Health
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Anna Eshoo
Ranking Member of Subcommittee on Health
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Subject: Support for the Improving Seniors' Timely Access to Care Act ("Seniors" Act) Discussion Draft in
Committee Hearing

Dear Subcommittee on Health Chairman Guthrie and Ranking Member Eshoo,

On behalf of the Regulatory Relief Coalition (RRC), a coalition of national physician specialty organizations seeking to reduce regulatory burdens that interfere with patient care, we are pleased to see the House Committee on Energy and Commerce will review the Improving Seniors' Timely Access to Care Act (Seniors Act) at its hearing on Medicare provider issues on October 19.¹ The RRC is a leading advocate for reforming prior authorization (PA) in the Medicare Advantage (MA) program on behalf of more than 28 million seniors enrolled in MA plans and the physicians who care for them.

The RRC applauds Representative Larry Bucshon, MD (R-IN), as a lead sponsor of the bill, and the overwhelming majority of Energy and Commerce Committee members who co-sponsored the bill in the 117th Congress and signed a [letter](#) to the Department of Health and Human Services (HHS) and Centers for Medicare & Medicaid Services (CMS) earlier this year urging the Administration to finalize its proposed electronic PA rule.² Furthermore, as was evident from the testimony at your June 28, 2022, oversight [hearing](#), MA beneficiaries have had care inappropriately delayed and denied under the program. While we are encouraged that the HHS Office of Inspector General released a new [work plan](#) announcing oversight of Medicare due to harmful delays in care that could result from lengthy prior authorization processes, passing the Seniors Act would help address many of the problems patients and physicians are experiencing with PA.

¹ The bill has not yet been introduced in the 118th Congress. In the 117th Congress, the House Committee on Energy and Commerce and Committee on Ways and Means advanced the bill ([H.R. 3173](#)) out of committee, and on Sept. 14, 2022, the full House of Representatives unanimously passed the bill by voice vote.

² The following committee members co-sponsored and/or signed the letter to HHS and CMS.

Republicans: Reps. Allen (R-GA); Armstrong (R-ND); Balderson (R-OH); Bilirakis (R-FL); Bucshon (R-IN), MD; Burgess (R-TX), MD; Carter (R-GA); Crenshaw (R-TX); Curtis (R-UT); Duncan (R-SC); Dunn (R-FL), MD; Griffith (R-VA); Harshbarger (R-TN); Hudson (R-NC); Johnson (R-OH); Joyce (R-PA), MD; Latta (R-OH); Lesko (R-AZ); Miller-Meeks (R-IA); Obernolte (R-CA); Pence (R-IN); Walberg (R-MI); and Weber (R-TX).

Democrats: Reps: Barragan (D-CA); Blunt Rochester (D-DE); Cardenas (D-CA); Castor (D-FL); Clarke (D-NY); Craig (D-MN); DeGette (D-CO); Dingell (D-MI); Fletcher (D-TX); Kelly (D-IL); Kuster (D-NH); Matsui (D-CA); Peters (D-CA); Ruiz (D-CA), MD; Sarbanes (D-MD); Schakowsky (D-IL); Schrier (D-WA), MD; Soto (D-FL); Tonko (D-NY); Trahan (D-MA); and Veasey (D-TX).

We, therefore, greatly appreciate your committee's continued efforts to ensure MA policies are not a barrier to timely and equitable access to care for the patients our members serve. Congress can protect our nation's seniors from wrongfully delayed or denied care by requiring proper transparency and oversight of prior authorization in the MA program. If adopted, the Seniors Act will reduce barriers to care, decrease provider burden, and help ensure Medicare beneficiaries enrolled in MA plans have the same access to Medicare-covered items and services as beneficiaries who opt for traditional Medicare.

Along with the RRC, more than [500](#) organizations representing patients, health care physicians and other clinicians, the medical technology and biopharmaceutical industries, health plans, and other organizations endorsed the Seniors Act in the previous session. The legislation finished the 117th Congress with [380](#) combined co-sponsors, including — 53 senators and 327 representatives. It is time for this bill to become the law of the land.

Thank you for including this legislation in the committee's hearing. We hope that Congress will follow your committee's leadership and commitment to protecting patients from delays and denials of care by passing this bipartisan legislation before the end of the year.

Sincerely,

RRC Members

American Academy of Dermatology Association
American Academy of Family Physicians
American Academy of Neurology
American Academy of Ophthalmology
American Academy of Physical Medicine and Rehabilitation
American Association of Neurological Surgeons
American Association of Orthopaedic Surgeons
American College of Cardiology
American College of Rheumatology
American College of Surgeons
American Gastroenterological Association
American Osteopathic Association
Association For Clinical Oncology
Congress of Neurological Surgeons
Medical Group Management Association
National Association of Spine Specialists

RRC Allies

American Medical Rehabilitation Providers Association
The National Association for Proton Therapy
Premier Inc
Select Medical

CC: Chair Cathy McMorris Rodgers & Ranking Member Frank Pallone