

July 22, 2020

The Honorable Seema Verma  
Administrator  
Centers for Medicare & Medicaid Services  
U.S. Department of Health and Human Services  
Hubert H. Humphrey Building, Room 445-G  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Administrator Verma:

The undersigned organizations represent the hundreds of thousands of physicians who provide care for our nation's Medicare patients every day. We are writing to strongly support the Centers for Medicare & Medicaid Services (CMS) decision to temporarily waive certain regulatory requirements during the COVID-19 pandemic. These temporary waivers, in extraordinary circumstances, have empowered physicians and non-physician health care professionals to focus on their patients and prevented a collapse of the health care system in the hardest hit areas of the country. However, **we urge CMS to sunset the waivers involving scope of practice and licensure when the public health emergency (PHE) concludes.**

To our dismay, it is our understanding that some organizations have already been advocating to make the temporary waivers permanent—permanently diminishing physician oversight and supervision of patient care. While we are greatly appreciative of CMS' rapid and substantial removal of regulatory barriers to allow physicians to continue providing care during the PHE, we also strive to continue to work with CMS to support patient access to physician-led care teams during and after the PHE. Throughout the coronavirus pandemic, physicians, nurses, and the entire health care community have been working side-by-side caring for patients and saving lives. Now more than ever, we need health care professionals working together as part of physician-led health care teams.

The pandemic has forced health care systems to reassess how they allocate human resources. Non-essential surgeries have been postponed or cancelled during the pandemic in response to government directives and the necessity for greater flexibility to deploy physicians and other health care professionals to where the need is greatest. As a result, CMS has temporarily relaxed the direct oversight and licensure requirements to allow health care systems to stretch their capacity to treat more patients. While these measures are temporary and limited to the duration of the PHE, **our organizations reaffirm our support for the physician-led team-based approach to care and vigorously oppose efforts that undermine the physician-patient relationship during and after the pandemic.**

With seven or more years of postgraduate education and more than 10,000 hours of clinical experience, physicians are uniquely qualified to lead health care teams. By contrast, nurse practitioners (NPs) must complete only two to three years of graduate level education and 500-

720 hours of clinical training. Physician assistant (PA) programs are two years in length and require 2,000 hours of clinical care. NPs and PAs are integral members of the care team, but the skills and acumen obtained by physicians throughout their extensive education and training make them uniquely qualified to oversee and supervise patients' care. Physician-led team-based care has a proven track record of success in improving the quality of patient care, reducing costs, and allowing all health care professionals to spend more time with their patients.

**Accordingly, the undersigned urge CMS to sunset the waivers involving scope of practice and licensure when the PHE concludes.** At a minimum, CMS should postpone any efforts to make these waivers permanent until after the conclusion of the PHE, and pursue such permanent waivers through notice-and-comment rulemaking. This will allow for a thorough and deliberate policy making process that ensures all stakeholders, including patients, are heard and give time for CMS to study the impact of the scope of practice waivers' on the cost and quality of patient care. We are happy to work with the agency on such studies and to ensure a seamless transition following the PHE.

The undersigned organizations believe that policymakers serve patients best by supporting physician-led team-based care that makes the most of the respective education and training of physicians and non-physician health professionals as part of a collaborative framework. Patients deserve to have a physician leading their team, whether that is for the treatment and management of chronic conditions, or for surgery. To that end, **the undersigned urge CMS to preserve the highest quality of care by preserving the physician-patient relationship and physician-led team-based care.**

Sincerely,

American Medical Association  
American Academy of Child & Adolescent Psychiatry  
American Academy of Dermatology Association  
American Academy of Emergency Medicine  
American Academy of Facial Plastic and Reconstructive Surgery  
American Academy of Family Physicians  
American Academy of Neurology  
American Academy of Ophthalmology  
American Academy of Otolaryngic Allergy  
American Academy of Otolaryngology- Head and Neck Surgery  
American Academy of Pediatrics  
American Academy of Physical Medicine and Rehabilitation  
American Association for Hand Surgery  
American Association for Physician Leadership  
American Association of Clinical Urologists  
American Association of Hip and Knee Surgeons

American Association of Neurological Surgeons  
American Association of Orthopaedic Surgeons  
American College of Allergy, Asthma and Immunology  
American College of Emergency Physicians  
American College of Medical Genetics and Genomics  
American College of Osteopathic Internists  
American College of Osteopathic Surgeons  
American College of Radiation Oncology  
American College of Radiology  
American College of Surgeons  
American Gastroenterological Association  
American Medical Women's Association  
American Osteopathic Association  
American Psychiatric Association  
American Society for Aesthetic Plastic Surgery  
American Society for Clinical Pathology  
American Society for Dermatologic Surgery  
American Society for Gastrointestinal Endoscopy  
American Society for Laser Medicine and Surgery  
American Society for Radiation Oncology  
American Society for Regional Anesthesia and Pain Medicine  
American Society for Surgery of the Hand  
American Society of Cataract & Refractive Surgery  
American Society of Dermatopathology  
American Society of Echocardiography  
American Society of Neuroradiology  
American Society of Plastic Surgeons  
American Urological Association  
American Vein & Lymphatic Society  
American Academy of Ophthalmology  
College of American Pathologists  
Congress of Neurological Surgeons  
Heart Rhythm Society  
National Association of Medical Examiners  
North American Neuromodulation Society  
North American Spine Society  
Outpatient Endovascular & Interventional Society  
Renal Physicians Association  
Society of Interventional Radiology  
Spine Intervention Society

Medical Association of the State of Alabama  
Arizona Medical Association  
Arkansas Medical Society

California Medical Association  
Colorado Medical Society  
Connecticut State Medical Society  
Medical Society of Delaware  
Medical Society of the District of Columbia  
Florida Medical Association Inc  
Medical Association of Georgia  
Hawaii Medical Association  
Idaho Medical Association  
Illinois State Medical Society  
Indiana State Medical Association  
Iowa Medical Society  
Kansas Medical Society  
Kentucky Medical Association  
Louisiana State Medical Society  
Maine Medical Association  
MedChi, The Maryland State Medical Society  
Massachusetts Medical Society  
Michigan State Medical Society  
Minnesota Medical Association  
Mississippi State Medical Association  
Missouri State Medical Association  
Montana Medical Association  
Nebraska Medical Association  
Nevada State Medical Association  
Medical Society of New Jersey  
New Mexico Medical Society  
Medical Society of the State of New York  
North Dakota Medical Association  
Ohio State Medical Association  
Oklahoma State Medical Association  
Pennsylvania Medical Society  
Rhode Island Medical Society  
South Carolina Medical Association  
South Dakota State Medical Association  
Tennessee Medical Association  
Texas Medical Association  
Utah Medical Association  
Vermont Medical Society  
Medical Society of Virginia  
Washington State Medical Association

Honorable Seema Verma  
July 22, 2020  
Page 5

West Virginia State Medical Association  
Wisconsin Medical Society  
Wyoming Medical Society