



College of American Pathologists

325 Waukegan Road, Northfield, Illinois 60093-2750
800-323-4040 • <http://www.cap.org>

Advancing Excellence

Direct Response To:

DIVISION OF ADVOCACY

1350 I Street, NW, Suite 590
Washington, DC 20005-3305
202-354-7100 Fax: 202-354-7155
800-392-9994 • cap.org

July 27, 2009

The Honorable Charles B. Rangel
Chairman
Committee on Ways and Means
U.S. House of Representatives
1102 Longworth House Office Building
Washington, DC 20515

Dear Mr. Chairman:

The College of American Pathologists (CAP), representing 17,000 physicians who are specialists in diagnostic medicine in the laboratory and practice in community hospitals, independent laboratories, academic centers and government health care facilities, appreciates your efforts to address our country's health care challenges.

However, we oppose the recent recommendation of the Office of Management and Budget (OMB) that would give the Medicare Payment Advisory Commission (MedPAC) or a new government agency, such as the proposed Independent Medicare Advisory Council (IMAC), sole authority to determine Medicare payment rates.

MedPAC, an independent agency established in 1997 to make recommendations on Medicare policy, already has broad authority to proposing changes to the Medicare program. This authority includes recommending changes in payment and matters related to patient access and quality. However, their role is only advisory and appropriately so. The OMB proposal and legislation introduced by Senator Jay Rockefeller (D-WV) and Congressman Jim Cooper (D-TN), would give MedPAC/IMAC the sole authority to determine payment rates, effectively cutting Congress, and subsequently physicians, out of the process all together.

The ultimate decision on payment rates should continue to be left to Congress, with the input of MedPAC, allowing for all physicians, including pathologists, who are on the front lines of diagnosis and treatment of serious disease, to collectively debate and discuss with their Members of Congress how Medicare policies affect their practice and the patients they serve. This dialogue allows Members of Congress to hear from a "boots on the ground" perspective how payment policies are affecting health care in their districts and home states.

The goal of improving quality while curbing costs is laudable. However, we believe this goal can be advanced without resorting to the creation of an independent commission that would add an additional layer of bureaucracy to an already complicated system and make it difficult for providers in their communities to participate in a full and open debate through their Members of Congress on the direction of health care.

The Honorable Charles B. Rangel
July 27, 2009
Page 2

Thank you for your consideration in opposing payment authority for MedPAC or a similar, new executive agency. We look forward to continuing to work with you to achieve effective health care reforms.

Sincerely,

A handwritten signature in black ink that reads "Jared N. Schwartz MD PhD FCAP". The signature is written in a cursive style.

Jared N. Schwartz, MD, PhD, FCAP
President, College of American Pathologists

DB|RS|sw