CAP Update: Advancing Pathology Through Advocacy and Laboratory/Member Programs

Arizona Society of Pathologists
Fall Virtual Meeting

Kathryn T. Knight, MD, FCAP
Speaker, CAP House of Delegates

November 14, 2020
How the CAP Is Helping You

- Influencing Public Policy and Amplifying Pathology’s Voice in Washington, DC, and Your State
- Responding During the COVID-19 Pandemic as a Trusted Resource
Influencing Public Policy and Amplifying Pathology’s Voice

To ensure pathologists are treated fairly and paid for the work they do
Strength of CAP Advocacy

- CAP was founded as the national advocacy organization for pathologists.
- We’re set up as a 501(c)6 organization so we have unlimited lobbying capacity for our members.

<table>
<thead>
<tr>
<th></th>
<th>College of American Pathologists</th>
<th>American Society for Clinical Pathology</th>
<th>Association for Molecular Pathology</th>
<th>United States and Canadian Academy of Pathology</th>
<th>Association of Pathology Chairs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Has a 501(c)6 Tax Status</td>
<td>✔</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
<td>✗</td>
</tr>
<tr>
<td>Has Unlimited Lobbying Capability</td>
<td>✔</td>
<td>✗</td>
<td>✗</td>
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</tr>
<tr>
<td>Spends $10 Million on Lobbying for Pathologists Annually</td>
<td>✔</td>
<td>✗</td>
<td>✗</td>
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<tr>
<td>Has a Political Action Committee</td>
<td>✔</td>
<td>✗</td>
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<tr>
<td>Has a robust Advocacy Program</td>
<td>✔</td>
<td>✗</td>
<td>✗</td>
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Medicare’s Efforts to Shift Reimbursement to Primary Care

• Over the last decade, health system changes have sought to invest more in primary care.
  o Back in 2007, increases to evaluation/management (E/M) services led to a -7% cut to pathology services.

• In 2019, CMS approved a proposal for E/M revaluation that will result in a redistribution of $7 billion in Medicare payments from specialists to primary care physicians in 2021.

• Reversing and mitigating cuts to pathologists is the top priority for the CAP and our lobbying efforts.
Evaluation and Management (E/M) Services
Change Is Driving Cuts to Specialists

• Estimated impact on pathologists in 2021:
  o -9% overall decrease to pathology services.
  o -$113 million per year to partially fund the increases.

• Budget neutrality provisions in the Medicare program require offsets/cuts to pathologists, other specialists to fund increases to primary care services.
Evaluation and Management (E/M) Services Change Is Driving Cuts to Specialists

<table>
<thead>
<tr>
<th>Specialists hit hard under the proposal for 2021:</th>
<th>Providers benefitting from the 2021 proposal:</th>
</tr>
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<tbody>
<tr>
<td>• Radiology -11%</td>
<td>• Internists 4%</td>
</tr>
<tr>
<td>• Cardiac Surgery - 9%</td>
<td>• Nurse practitioners 8%</td>
</tr>
<tr>
<td>• Pathology - 9%</td>
<td>• General practice 8%</td>
</tr>
<tr>
<td>• Anesthesiology - 8%</td>
<td>• Family practice 13%</td>
</tr>
<tr>
<td>• Emergency - 6%</td>
<td>• Hematology/Oncology 14%</td>
</tr>
<tr>
<td>• Ophthalmology - 6%</td>
<td>• Rheumatology 16%</td>
</tr>
<tr>
<td></td>
<td>• Endocrinology 17%</td>
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</table>
Advocacy to Fight the Medicare Cuts

- CAP Advocacy is working with the AMA and other physicians negatively affected by the cuts.
- We are asking Congress to mitigate the reductions to all non-E/M services by waiving budget neutrality.
- We are mobilizing pathologists to ask their members of Congress to support our specialty.

#fightthecuts
Advocacy to Fight the Medicare Cuts

• During the summer months, more than 40 CAP members virtually met with congressional offices.

• The CAP is a leader in a multi-specialty coalition pushing Congress to make all physicians whole by waiving budget neutrality.
  o Unspent moneys in the Provider Relief Fund could offset the costs for waiving budget neutrality for one year.

• The CAP is working with legislators in the House and Senate to introduce legislation and rally support for it.
Update on Advocacy to Fight the Medicare Cuts

• Reps. Bera and Bucshon led a sign-on letter to urge House leaders to stop the cuts.
  o 239 House members signed the letter.
• We are reviewing legislative proposals to delay the cut by one or two years.
  o Such a move would buy us additional time to determine a permanent fix to these reductions.
Fight the Cuts

• Go to cap.org/advocacy to join the fight.
• Stay updated by following us on Twitter (@CAPDCAdvocacy)
Medicare Increase to Molecular Pathology Interpretations in 2021

<table>
<thead>
<tr>
<th>HCPCS Code</th>
<th>DESCRIPTION</th>
<th>Work RVU 2020</th>
<th>RUC Rec Work RVU</th>
<th>Work RVU 2021</th>
<th>% Change 2020-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>G0452</td>
<td>Molecular pathology procedure; physician interpretation and report</td>
<td>0.37</td>
<td>0.93</td>
<td>0.93</td>
<td>151%</td>
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• The molecular interpretation was identified as misvalued in 2018, and the CAP successfully worked to protect the value of the service.
• Working with the American Medical Association/Specialty Society Relative Value Update Committee, we recommended an increase to the physician work value of the service.
• The Medicare program agrees; and, for 2021, announced a payment increase of 124%!
Update on Legislation in Arizona

• We’ve accomplished a lot together through the years:
  o 2015: Direct access testing law, while ensuring liability immunity for pathologists
  o 2017: Out-of-network law
  o 2019: Secured changes to network adequacy rules for Medicaid managed care plans
  o 2019: Secure amendments to genetic testing law to remove informed consent requirement

• Great examples of a successful partnership between ASP-CAP!
This year, we jointly contracted a lobbyist to pass additional amendments to the direct access testing law:

- Amendments would ensure testing is subject to proficiency testing.
- The state pharmacist association blocked our amendments, but we sought a compromise to disclose PT status when providing results to patients.
- However, COVID-19 shutdown the legislative session before it could move forward.
CAP State Pathology Society Initiative

• We strongly believe in strengthening our relationships with state societies.
  o Together, we can successfully advocate for pathologists at the state and federal levels.

• The CAP has initiated a multiyear strategy to support state pathology societies.
  o For example, we launched a virtual meeting platform for state societies to use.

• Go to cap.org/states for more state resources and information.
Responding During the COVID-19 Pandemic as a Trusted Resource

To ensure the quality of laboratory testing and diagnosis and the quality of care that patients receive
## Overview of CAP COVID-19 Advocacy Actions

<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
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<tbody>
<tr>
<td>Advocate</td>
<td>Advocate for Financial Assistance for Pathologists During the Pandemic</td>
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<tr>
<td>Secure</td>
<td>Secure Regulatory Flexibility for Pathologists and Laboratories</td>
</tr>
<tr>
<td>Influence</td>
<td>Influence Congress as it Acted on Providing Test Coverage, Payment, and Other Assistance to Physicians and Hospitals</td>
</tr>
<tr>
<td>Collaborate</td>
<td>Collaborate With State Pathology Societies</td>
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Responding to Member and Laboratory Needs

The CAP offers proficiency testing to validate COVID-19 testing:

- Three SARS-CoV-2 PT programs (molecular, serology, and antigen)
- Two Quality Cross Check programs (molecular and serology)
Responding to Member and Laboratory Needs

- Two COVID-19 sections accessible from cap.org home page:
  - COVID-19 Updates
    - For newly posted COVID-related information
  - COVID-19 Information, including:
    - Extensive Q&A
    - Advocacy News
    - Practice Resources
    - Topic Center, e.g., Microbiology
Responding to Member and Laboratory Needs

• Two COVID-19 sections on cap.org:
  o COVID-19 Information
  o COVID-19 Updates
• Extensive Q&A Sections for COVID-19-related questions
• Visit the Topic Center for related information in areas such as Policy and Advocacy, Digital Pathology, Microbiology

For CAP-Accredited Laboratories

- Mandatory Test Result Reporting for SARS-CoV-2 (COVID-19) for Medicare and Medicaid Services (CMS) memorandum, QSO, and QSOG announces updates to the Clinical Laboratory Improvement Amendments requirements in the interim final rule CMS-3410-IFC. The Rule in the requirements on laboratories for reporting SARS-CoV-2 test results and health emergency.
- The CAP is recommending a modified inspection process to address the climate in health care and to provide for increased safety measures. See our recommended pre-inspection document review 2020 Modified Inspections Toolkit.
- PrimeStore® MTM Releases Cyanide Gas When Exposed to Bleach and CDC share alert regarding PrimeStore® Molecular Transport System. An approved transport media for COVID-19 diagnostic swab samples contains guanidine thiocyanate, which produces a chemical reaction to release cyanide gas when exposed to bleach (sodium hypochlorite).
- CAP Statement on the Current Role of Serologic Testing. CAP President Patrick Godbey, MD, FCAP issued a statement regarding the Role of Serologic Testing for SARS-CoV-2, as there are still significant uncertainties with respect to SARS-CoV-2 antibody testing, ranging from uncertainties in test accuracy to many commercially available assays to the clinical usefulness of testing results.
CAP Practice Management Tools and Resources

Practice management provides connections, resources, and one-of-a-kind tools to improve your practice.
2021 Pathologists Leadership Summit

• Save the Date: May 1–4
• Members-only event will focus on helping CAP members take action to:
  o Advance and advocate for the specialty
  o Increase pathologists’ presence and influence on Capitol Hill
  o Advance your leadership skillset to the next level
• More details and registration information to come
The CAP Is Your Professional Organization

For Advocacy
For Quality
For Your Career

Please take a moment to give us your feedback by completing a CAP evaluation form.