

AAFP News: *AFP Edition*

Policy and Health Issues in the News

Groups Prod HHS to Recognize Advance Care Planning CPT Codes

More than 60 organizations, including the American Academy of Family Physicians (AAFP), are asking the U.S. Department of Health and Human Services (HHS) to support Medicare payment for advance care planning services. In a letter to HHS Secretary Sylvia Burwell, the organizations urged HHS to ensure that separate payment for *Current Procedural Terminology* (CPT) codes 99497 and 99498 will be available to health professionals in 2016. This latest letter reiterates the AAFP's concerns, which were noted in a separate appeal to the Centers for Medicare and Medicaid Services (CMS) in 2014 when CMS ruled the codes invalid for Medicare purposes. "Published peer-reviewed research shows that (advance care planning) leads to better care, higher patient and family satisfaction, fewer unwanted hospitalizations, and lower rates of caregiver distress, depression and lost productivity," the organizations wrote. They pointed out the importance of advance care planning for Medicare patients who often have multiple chronic illnesses and depend on family and other caregivers for support in a home setting. For more information, go to <http://www.aafp.org/news/practice-professional-issues/20150527advancecare.html>.

FDA Denies Request to Weaken Smokeless Tobacco Warning

The U.S. Food and Drug Administration (FDA) recently denied a petition from R.J. Reynolds to weaken the language in one of the agency's four smokeless tobacco warning statements. R.J. Reynolds' initial petition asked the FDA to change the current warning statement from "Warning: This product is not a safe alternative to cigarettes," to the less definitive "Warning: No tobacco product is safe, but this product presents substantially lower risks to health than cigarettes." Then, in March 2013, the petitioners proposed alternative wording: "Warning: No tobacco product is safe; however, exclusive use of smokeless tobacco products presents substantially less risk to health than cigarettes." On two occasions, the AAFP joined with dozens of other health care and tobacco reform advocates to oppose the petition. The FDA concluded that given the strong scientific evidence of risk from smokeless tobacco, the current statutory smokeless tobacco warning is factual and not misleading. For more information, go to <http://www.aafp.org/news/health-of-the-public/20150520reynoldspetition.html>.

GAO Levels Sharp Criticism Against Physician Fee Committee

An institution that influences how much physicians are paid has been sharply criticized by a federal agency, echoing calls from the AAFP for more transparency and a greater voice for primary care physicians. For more than two decades, the American Medical Association/Specialty Society Relative Value Scale Update Committee (RUC) has made recommendations that help determine how much physicians should be paid for certain services. A new report by the Government Accountability Office (GAO) highlights long-standing criticisms about the RUC's inconsistency, lack of transparency, and the high value it places on procedures. The report makes clear that the recommendations affect more than just how much physicians are paid under the Medicare physician fee schedule, because that schedule influences how much private insurers pay for services. The report's main criticism is that by relying as heavily as it does on the RUC's recommendations, CMS lacks sufficient documentation and data to accurately measure the value of a particular physician service. For more information, go to <http://www.aafp.org/news/government-medicine/20150603rucreport.html>.

AAFP Warns FTC About Consequences of Insurance Mergers

In response to reports that Humana, one of the largest U.S. insurance companies, is seeking a sale or merger, the AAFP warned the Federal Trade Commission (FTC) about the dangers that consolidation creates for physicians and patients. AAFP Board Chair Reid Blackwelder, MD, sent a letter to FTC Chairwoman Edith Ramirez urging federal officials to prevent insurance company consolidations "that would limit choices for consumers and decrease competition within the health insurance industry." With 2014 revenues of \$48.5 billion, Humana has the second-largest number of Medicare Advantage members—more than 3 million patients—which provides the highest source of its revenue, according to the *Wall Street Journal*. The insurance market is already dominated by a handful of powerful companies, which the AAFP says threatens the ability of patients and physicians to make free choices. For more information, go to <http://www.aafp.org/news/practice-professional-issues/20150611ftcletter.html>.

— *AFP AND AAFP NEWS STAFF*

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