



October 14, 2024

The Honorable Mike Johnson

Speaker of the House
H-232, The Capitol
Washington, D.C. 20515

The Honorable Chuck Schumer

Senate Majority Leader
S-309, The Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell

Senate Minority Leader
S-230, The Capitol
Washington, D.C. 20515

The Honorable Hakeem Jeffries

House Minority Leader
H-204, The Capitol
Washington, D.C. 20515

Subject: Request to Pass the *Improving Seniors' Timely Access to Care Act* (H.R. 8702/S. 4532)

Speaker Johnson, Leaders Schumer, Jeffries, and McConnell:

On behalf of the Regulatory Relief Coalition ([RRC](#)), a coalition of national physician organizations and our allies seeking to reduce regulatory burdens that interfere with patient care, we urge you to prioritize passage this session of the bipartisan, bicameral *Improving Seniors' Timely Access to Care Act* ([H.R. 8702/S. 4532](#)) which has overwhelming stakeholder support and is urgently needed to reduce delays in health care for our nation's seniors.

The *Improving Seniors' Timely Access to Care Act* is bipartisan legislation that will tackle the overuse and abuse of prior authorization (PA) by Medicare Advantage (MA) plans, which threatens access to medically-necessary care and increases provider administrative burden. The bill would codify and enhance elements of the Advancing Interoperability and Improving Prior Authorization Processes (e-PA) rule that was finalized by the Centers for Medicare & Medicaid Services (CMS) on January 17, 2024.¹

In an effort to help ensure swift passage in Congress, the bill sponsors made modest, mindful adjustments to the legislation to align with CMS' final e-PA rule and to reduce the Congressional Budget Office (CBO) score. Changes include a requirement for CMS to issue a report on implementing real-time decisions, an analysis on enrollee impact, and clarifying CMS's authority to modify the timeframes for making PA determinations.² To facilitate passage, we ask that you work with the leaders of the relevant committees of jurisdiction to expedite Congressional Budget Office (CBO) scoring of the new bill.

¹ *Medicare and Medicaid Programs; Patient Protection and Affordable Care Act; Interoperability and Prior Authorization Processes*, 86 Fed. Reg. 7767 (Feb. 2, 2021) (to be codified at 42 C.F.R. pts. 431, 438, 440, 457, 457, and 45 C.F.R. pt. 156).

² Outline of changes to 118th version with details on CBO scoring linked [HERE](#).

The RRC has been advocating for the *Improving Seniors' Timely Access to Care Act* since it was first introduced in 2019. In the 117th Congress, the bill passed the House with 380 combined cosponsors — 53 senators and 327 representatives.³ In June 2023, 233 Representatives and 61 Senators showed their bipartisan support of PA reform in MA by urging the Department of Health and Human Services and CMS to finalize pending rules to reign in the overreaches of MA plans that delay and deny care through utilization management tools like PA.⁴ In July 2023, the Ways and Means Committee passed legislation out of committee that included the *Improving Seniors' Timely Access to Care Act* provisions.⁵

Senators Roger Marshall, MD (R-KS), Kyrsten Sinema (I-AZ), John Thune (R-SD) and Sherrod Brown (D-OH), and Representatives Mike Kelly (R-PA), Suzan DelBene (D-WA), Ami Bera, MD (D-CA), and Larry Bucshon, MD (R-IN) introduced the bill on June 12, 2024, with 42 Senators and 130 Representatives as original cosponsors. The bill now has 55 Senators and 220 House cosponsors – including 15 Senate Finance Committee members, 36 Ways & Means Committee members, and 33 Energy & Commerce Committee members.

It is rare for legislation to enjoy such overwhelming approval from members of Congress and nearly 500 hundred stakeholder organizations representing patients, providers, the medical technology and biopharmaceutical industry, and some insurance companies—compelling evidence of the bill's consensus-driven, bipartisan, reasonable approach to improving access to health care for our seniors.⁶

This legislation is at a critical junction. Our coalition firmly believes this opportunity to pass strong, bipartisan policy is one that must be seized by our nation's leaders to ensure that patients do not face unnecessary delays and denials of medically necessary care due to MA plans' prior authorization requirements. We urge you to include this legislation in any must-pass legislation this year.

Thank you for your leadership to on this important issue, and the RRC and its members stand ready to work with you to secure passage of the *Improving Seniors' Timely Access to Care Act* this year. For further information, contact Peggy Tighe at Peggy.Tighe@PowersLaw.com or Natalie Keller at Natalie.Keller@PowersLaw.com.

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 & Rehabilitation
American Association of Neurological Surgeons

³ Improving Seniors' Timely Access to Care Act of 2021, H.R. 3173, 117th Cong. (2021). <https://www.congress.gov/bill/117th-congress/house-bill/3173>

⁴ Letters sent to CMS and list of letter signers [HERE](#).

⁵ Health Care Price Transparency Act of 2023, H.R. 4822, 118th Cong. (2023). <https://www.congress.gov/bill/118th-congress/house-bill/4822>

⁶ List of endorsing organizations [HERE](#).

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American Association of Orthopaedic Surgeons
American College of Rheumatology
American College of Surgeons
Association for Clinical Oncology
American College of Cardiology
American Gastroenterological Association
American Osteopathic Association
Congress of Neurological Surgeons
Medical Group Management Association
National Association of Spine Specialists

RRC Allies

Premier, Inc.

cc

Energy and Commerce Committee Chair Cathy McMorris Rodgers and Ranking Member Frank Pallone
Ways and Means Committee Chair Jason Smith and Ranking Member Richard Neal
Senate Finance Committee Chair Ron Wyden and Ranking Member Mike Crapo
Bill Sponsors Senators Roger Marshall, MD, Kyrsten Sinema, John Thune, Sherrod Brown, and
Representatives Mike Kelly, Suzan DelBene, Ami Bera, MD, and Larry Bucshon, MD