



AMERICAN ACADEMY OF  
FAMILY PHYSICIANS  
STRONG MEDICINE FOR AMERICA

October 4, 2012

Marilyn Tavenner  
Acting Administrator  
Centers for Medicare & Medicaid Services  
Department of Health and Human Services  
Attention: CMS-0028-IFC  
P.O. Box 8013  
Baltimore, MD 21244-8013

Re: Administrative Simplification: Adoption of Operating Rules for Health Care Electronic Funds Transfers and Remittance Advice Transactions

Dear Ms. Tavenner:

On behalf of the American Academy of Family Physicians (AAFP), which represents more than 105,900 family physicians and medical students nationwide, I write in response to the interim final [rule](#) with comment period for the Administrative Simplification: Adoption of Operating Rules for Health Care Electronic Funds Transfers and Remittance Advice Transactions as published in the August 10, 2012 *Federal Register*.

Per the comment [letter](#) the AAFP sent March 1, 2012 in response to the agency's January 10 interim final rule, AAFP continues to support implementation of administrative simplification provisions within the *Affordable Care Act*. Specific to this rule, the AAFP is pleased that CMS is adopting standards for electronic funds transfers and electronic remittance advices since the use of these standards will modernize and enable meaningful electronic communications between health plans, financial institutions, and family physician practices.

A significant area of concern for medical billing staff is determining where a claim is in the billing process and an electronic acknowledgment from a health plan significantly reduces these concerns. Thus, the AAFP is alarmed that CMS chose not to adopt Requirement 4.2, titled "Health Care Claim Payment/Advice Batch Acknowledgment Requirements" for the stated reason that the "requirement requires the use of the Accredited Standards Committee (ASC) X12 999 acknowledgment standard, and the Secretary has not adopted standards for acknowledgments." CMS seemingly recognizes the important role acknowledgments play in electronic data interchange since the agency is, in this interim final rule, "strongly encouraging the industry to implement the acknowledgments requirements" yet CMS does not ultimately require compliance with Requirement 4.2. Though the AAFP values the technical input provided by different HHS expert advisory committees, we also urge CMS and the applicable committees to expeditiously adopt standards so that CMS can mandate instead of merely encourage this policy.

Family physicians are largely obligated for financial reasons to participate in a variety of public and private reporting programs that utilize medical claims to gather data. Though these programs, such as but not

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exclusive to the Physician Quality Reporting System and the Medicare and Medicaid EHR Incentive program, remain cumbersome, nonetheless, the AAFP continues to encourage our members to participate in them. However AAFP members have very little patience for policies that are needlessly unenforced. As one of many ways to begin to minimize the complexities associated with participating in these various initiatives, the AAFP urges CMS to further reduce the inefficient amount of time medical billing staff and health plans spend on the phone by requiring, instead of encouraging, claim submissions and acknowledgments standards.

The *Affordable Care Act* also requires the establishment of a new “review committee” to evaluate the adopted standards and operating rules and to recommend updates, standards and operating rules to CMS. As CMS develops this new committee, the AAFP strongly urges CMS to include a billing staff person employed by a family physician. Family medicine front office and billing operations are unique since family medicine, more than other medical specialty areas, functions on thin margins. The ability to convert to electronic health records or new electronic standards is typically more difficult for these practices compared to those in urban settings. Including the family medicine perspective will help ensure this committee is comprehensive in its efforts.

We appreciate the opportunity to provide these comments and make ourselves available for any questions you might have or clarifications you might need. Please contact Robert Bennett, Federal Regulatory Manager, at 202-232-9033 or [rbennett@aafp.org](mailto:rbennett@aafp.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Roland A. Goertz, MD, MBA, FFAFP". The signature is fluid and cursive, with the last name "Goertz" being the most prominent part.

Roland A. Goertz, MD, MBA, FFAFP  
Board Chair