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Physician Coalition Celebrates Groundswell of Congressional Support to Reign in Prior Authorization in Medicare Advantage

Congressional Letters Achieve Majority in Both House and Senate

WASHINGTON, DC—The Regulatory Relief Coalition (RRC) — a group of national physician specialty organizations advocating for reduced regulatory burdens that interfere with patient care — enthusiastically applauds the 233 Representatives and 61 Senators who demonstrated their bipartisan support of prior authorization (PA) reform in Medicare Advantage (MA) by sending letters to the Department of Health and Human Services (HHS) and the Centers for Medicare & Medicaid Services (CMS). The letters ask CMS to finalize pending rules that would reign in the overreaches of MA plans that delay and deny care through utilization management tools like PA.

The letter authors championed legislation in the 117th Congress — the Improving Seniors' Timely Access to Care Act ([H.R. 3173/S. 3018](#)) — to improve PA in MA. Representatives **Suzan DelBene** (D-Wash.), **Mike Kelly** (R-Pa.), **Ami Bera**, MD (D-Calif.) and **Larry Bucshon**, MD (R-Ind.) championed the bill in the House. Senators **Sherrod Brown** (D-Ohio), **John Thune** (R-S.D.), **Kyrsten Sinema** (I-Ariz.) and **Roger Marshall**, MD (R-Kan.) sponsored the bill in the Senate.

In March, the RRC submitted [comments](#) strongly supporting CMS's [proposed rule](#) on advancing interoperability and improving prior authorization. The coalition strongly endorses the regulatory changes in this comprehensive proposal, which closely align with the *Improving Seniors' Timely Access to Care Act*.

"Congress has seen the harm that MA overreach has on seniors and the physicians who care for them. Millions of Medicare Advantage patients are frustrated by delays and denials of care. Our patients are demanding action from policymakers, and it's clear that our patients are being heard," said **Russell R. Lonser**, MD, chair of neurosurgery at The Ohio State University and chair of the American Association of Neurological Surgeons/Congress of Neurological Surgeons Washington Committee.

George A. Williams, MD, Senior Secretary for Advocacy of the American Academy of Ophthalmology, agreed, "We were thrilled by CMS's proposed rules that were released in December, and this level of support from Congress for those proposed regulatory changes confirms the dire need for change in MA. The next step is to ensure that these reforms become law."

While there are differences between the legislation and the proposed rule, they both:

- Seek to reduce care delays and improve patient outcomes;

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- Advance interoperability and improve PA processes by requiring MA plans to adopt electronic prior authorization (e-PA);
- Ensure MA plans respond to PA requests within specific timeframes;
- Require public reporting on the use of PA with specific and detailed transparency on MA PA;
- Support efforts to waive or modify PA requirements based on provider performance; and
- Acknowledge that health plans' proprietary interfaces and web portals through which providers submit their requests remain inefficient and burdensome.

The letter thanks CMS for taking action to streamline PA in MA and asks the agency to finalize the rule promptly. Additionally, the letter urges CMS to finalize the proposed rule consistent with the legislation by:

1. Establishing a mechanism for real-time e-PA decisions for routinely approved items and services;
2. Requiring that plans respond to PA requests within 24 hours for urgently needed care; and
3. Requiring detailed transparency metrics.

The RRC commends CMS's commitment to reigning in the overreaches of MA plans that delay and deny care through utilization management tools like PA. When finalized, this rule will limit MA plans' overuse and abuse of PA, reduce barriers to care, lessen provider burden and help ensure that Medicare beneficiaries who enroll in MA plans have the same access to Medicare-covered items and services as beneficiaries who opt for traditional Medicare.

The RRC is a leading advocate for reforming PA in the MA program on behalf of the more than 28 million seniors enrolled in MA plans and the providers who care for them. The coalition's efforts were critical in bringing multiple CMS-proposed rules forward and advancing the *Improving Seniors' Timely Access to Care Act*, which finished the 117th Congress with 380 combined co-sponsors — [53](#) senators and [327](#) representatives. Along with the RRC, more than [500](#) organizations representing patients, health care providers, the medical technology and biopharmaceutical industry, health plans, and others endorsed the legislation.

The coalition will continue to urge Congress to protect patients from unnecessary delays in care by codifying these important policy changes into law by passing *the Improving Seniors' Access to Timely Care* in the 118th Congress.

More information about the RRC and the legislation is available at www.regrelief.org.

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