



# American College of Surgeons

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November 4, 2009

The Honorable John D. Dingell  
2328 Rayburn House Office Building  
Washington, D.C. 20515

Dear Representative Dingell:

On behalf of the more than 74,000 members of the American College of Surgeons (College), I write to express the College's support for the *Medicare Physician Payment Reform Act* (H.R. 3961) and the *America's Affordable Health Choices Act* (H.R. 3962). The College shares your desire and commitment to make quality health care more accessible to all Americans. We strongly believe that H.R. 3961 and H.R. 3962 are intrinsically interdependent and that true health care reform cannot be fully achieved unless the current system is rebuilt on a solid foundation.

As you know, one of the greatest threats to our health care system is the instability of the Medicare program and its impact on beneficiaries and physicians. H.R. 3961 takes the critical first step of establishing a firm foundation on which to build comprehensive health care reform by permanently repealing the flawed Medicare reimbursement system and resetting the budget baseline – a problem that has crippled Medicare for nearly a decade.

In addition, the College supports the goals of H.R. 3962 that collectively expand coverage, promote and incentivize high quality care and help to ensure patient access to surgical care. There are many areas of the legislation that the College supports including the bill's emphasis on using comparative effectiveness research as a tool to establish high quality clinical decision-making rather than cost-effectiveness decisions. The College also supports the legislation's commitment to trauma care including the establishment of grants to trauma centers, the creation of pilot programs to develop regionalized systems of emergency and trauma care, and the authorization of the Emergency Care Coordination Center.

The College's support of H.R. 3962 also centers on provisions the legislation does not contain. While the bill does address reimbursement challenges facing primary care, it does not finance these increased payments through reductions in payments for all other physician services. We are grateful for the recognition that such payment cuts would exacerbate existing surgical workforce shortages. Furthermore, we strongly support the purposeful exclusion of an independent Medicare commission that would shift responsibility of making difficult Medicare payment and coverage decisions away from Congress and to an un-elected and largely unaccountable executive branch agency.

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We look forward to working with you to advance these important pieces of legislation. The provisions in H.R. 3961 and H.R. 3962, along with needed efforts to address the surgical workforce crisis and additional implementation of proven medical liability reform initiatives will help ensure that Americans have continued access to both quality coverage and care.

Sincerely,

A handwritten signature in cursive script that reads "A Brent Eastman".

A. Brent Eastman, MD, FACS  
Chair, ACS Board of Regents