

FOR RELEASE Contact: Rebecca Reid

September 26, 2015 410-212-3843

**ACLA Expresses Serious Concerns About CMS’ Proposed Rule on Provisions in the Protecting Access to Medicare Act** **(PAMA)**

(WASHINGTON, DC) – The nation’s largest organization representing the public policy interests of clinical laboratories across the U.S., the [American Clinical Laboratory Association (ACLA)](http://www.acla.com/), said it is continuing to review and evaluate the proposed rule recently released by the Centers for Medicare and Medicaid Services (CMS) that would modify the Medicare reimbursement rate methodology for clinical labs under the Protecting Access to Medicare Act (PAMA), but voiced initial concern over the definition of “applicable lab” and other troubling provisions.

“Modifying the Medicare payment system for clinical laboratory services is a complex undertaking and ACLA is committed to ensuring the end result works for clinical labs, CMS, and Medicare beneficiaries,” said Alan Mertz, President of ACLA. “However, we are extremely disappointed with the proposed rule’s definition of ‘applicable laboratory,’ as it appears it would exclude much of the laboratory market in reporting pricing and is at odds with both the statutory language and Congressional intent.”

ACLA noted that a preliminary review of the proposed rule indicates there are several provisions that address issues commented on favorably by the clinical lab organization. However, language regarding “applicable labs” and data reporting period is problematic.

 “We need to ensure that CMS is receiving the most accurate data to implement a new fee schedule,” said Mertz. “A successful PAMA implementation will result in reimbursement that reflects the broad scope of the market, recognizes the value of laboratory services, and protects access for Medicare beneficiaries.”

Mertz stated that decisions made during this process will have a major impact on the clinical laboratory industry and the patients clinical labs serve, and it is important that those decisions work to promote ongoing diagnostic innovations and protect access to critical lab testing for Medicare beneficiaries.

“Because this a *proposed* rule, all stakeholders will have the opportunity to comment on it and ask that CMS address areas of concern that are identified,” Mertz said. “ACLA will comment on the proposed rule and will urge that the laboratory community weigh in with CMS during this critically important comment period.”

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*The ACLA is a not-for-profit association representing the nation’s leading national, regional and esoteric clinical laboratories on key issues of common concern, including federal and state government reimbursement and regulatory policies.*