



September 12, 2017

The Honorable Roy Blunt
Chairman
Appropriations Subcommittee on
Labor, Health and Human Services,
Education, and Related Agencies
U.S. Senate
Washington, DC 20510

The Honorable Patty Murray
Ranking Member
Appropriations Subcommittee on
Labor, Health and Human Services,
Education, and Related Agencies
U.S. Senate
Washington, DC 20510

Dear Chairman Blunt and Ranking Member Murray:

We support your decision to include report language accompanying the recently approved FY2018 Labor, Health and Human Services, and Education and Related Agencies (Labor-HHS) Appropriations Bill urging the Centers for Medicare and Medicaid Services “to continue to work with stakeholders to address data accuracy concerns and ensure that the reported data appropriately represents the full spectrum of laboratories, including hospital, independent, and physician-office laboratories, that are paid under the Medicare Clinical Laboratory Fee Schedule [CLFS].”

The American Clinical Laboratory Association (ACLA) is an association representing the nation’s leading providers of clinical laboratory services, including large national independent laboratories, reference laboratories, esoteric laboratories, hospital laboratories and nursing home laboratories. The services our members offer including commonly ordered lab tests (e.g. glucose monitoring and complete blood counts), as well as innovative molecular diagnostics lab tests such as genomic sequencing panels and algorithm-based tests.

Our members serve a significant Medicare population and have a direct stake in ensuring that services remain accessible to all Medicare beneficiaries. The currently flawed methodology used to determine Medicare payment rates for clinical laboratories threatens Medicare beneficiary access by prohibiting 95 percent of laboratories from reporting their data, resulting in inaccurate and unrepresentative Medicare clinical laboratory rates. We urge CMS to delay implementation of the flawed rates while stakeholders work with the agency to create a truly market-based system that reflects the entire scope of the clinical laboratory and preserves Medicare beneficiary access.

We thank you for including this report language urging CMS to work with stakeholders. We look forward to working with you, your staff, stakeholders, and CMS to ensure the CLFS rates are based on the private market as Congress intended when it passed Section 216 of the Protecting Access to Medicare Act (PAMA) of 2014.

Thank you for your leadership on this issue, and if there are any questions, please contact Tom Sparkman by phone at (202) 637-9466 or email at tsparkman@acla.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie Khani', written in a cursive style.

Julie Khani
President