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The Honorable Brian Babin
U.S. House of Representatives
2236 Rayburn House Office Building
Washington, D.C. 20515

November 20, 2019

Dear Representative Babin:

On behalf of the over 4,000 member urologists of the American Association of Clinical Urologists (AACU) and the 849 Texas urologists who treat patients throughout the state, I'm writing to request your support for the CMS and HHS-OIG proposed reforms to the Stark Law and Anti-Kickback Statute (AKS). These reforms will allow physicians to better provide coordinated care, which improves patient outcomes and lowers costs.

As you know, modernizing the Stark Law is a priority of the GOP Doctors Caucus. To that end, Representatives Phil Roe (R-TN), co-chair of the Caucus, and Larry Bucshon (R-IN) have drafted a letter to the Secretary of Health and Human Services, Alex Azar, commending the department for its new approach to the Stark Law and AKS, and encouraging the administration to finalize these proposed rules in 2020.

The letter has been signed by the following Doctors Caucus members: Representatives Roe, Bucshon, co-chair Andy Harris (R-MD), Roger Marshall (R-KS), Neal Dunn (R-FL), Buddy Carter (R-GA), Brad Wenstrup (R-OH) and Paul Gosar (R-AZ). **The AACU respectfully requests you join your colleagues in signing onto this important letter.**

Stark Law and AKS are outdated and onerous regulations that create tremendous burdens on physician practices and do not reflect the modern, value-based health care system that enhances care coordination, improves quality, and reduces waste. The CMS and HHS-OIG proposals will reform these laws to facilitate innovative arrangements for coordinating care consistent with a shift from a fee-based to a value-based system.

Specifically, the Stark proposed rule would create new exceptions for value-based arrangements that apply to care delivery for all patients, not just Medicare beneficiaries. The rule also includes changes to the definition of fair market value to eliminate the connection to the volume or value standard, which has been an impediment to developing alternative payment models and other value-based care initiatives.

The AKS proposed rule creates new safe harbors for care coordination arrangements aimed at improving quality and outcomes and for value-based arrangements with either substantial downside risk or full financial risk. The rule also proposes modifications to the existing safe harbor laws under the AKS for personal services and management contracts to add flexibility for outcomes-based payments and part-time arrangements.

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Clinical urologists urge you to join Representatives Phil Roe and Larry Bucshon in supporting the Trump Administration's efforts to fundamentally reform and modernize the Stark and Anti-kickback laws to promote value-based delivery.

If we can be a resource or answer any questions about this issue, please contact our Federal Affairs Manager, Yehuda Sugarman, at yehuda@wjweiser.com.

Thank you in advance for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott B. Sellinger" with a stylized flourish at the end.

Scott B. Sellinger, M.D., F.A.C.S.
AACU President