



NORTH CAROLINA CHAPTER OF THE AMERICAN COLLEGE OF CARDIOLOGY

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January 21, 2010

Dear Colleagues,

As you may have recently read, the federal judge in Florida indicated that he did not have the jurisdiction to consider the flawed practice expense calculation included in the 2010 Medicare Physician Fee Schedule (MPFS) Final Rule. As part of the legal process, we learned during discovery exactly how arbitrary the decision was made. For example, I understand that of approximately 50 practicing cardiologists surveyed regarding practice expenses, 12 reported having no practice expenses.

The way forward is clear and rests with our representatives in Congress. In discussions with many concerned colleagues and patients and with ACC leadership, we need to directly approach our Congressional representatives in their home offices to educate them of our concerns. Paramount among these is the impact of the flawed practice expense process on our ability to provide the best care for our patients and their constituents.

If an additional 100 Congressional representatives join the 70 who already support H.R. 4371 introduced by Representative Charles Gonzalez, we believe that Congress will query CMS to reconsider the faulty practice expense calculations.

In North Carolina, Representatives George (G.K.) Butterfield, Jr. [NC District 1] and Mike McIntyre [NC District 7] have already signed on as sponsors. Remaining representatives include Howard Coble, 6th, Bob Etheridge, 2nd, Virginia Foxx, 5th, Walter Jones, 3rd, Larry Kissell, 8th, Patrick McHenry, 10th, Brad Miller, 13th, Sue Myrick, 9th, David Price, 4th, Heath Shuler, 11th, and Mel Watt, 12th.

Over the next few weeks, I ask each concerned colleague to approach their practice managers and determine just what effect the cuts will have on their ability to maintain services and care for patients. With this information in hand, personal visits to congressional offices by physicians and patients are likely to have the greatest impact in educating our representatives. As a tangible example, I know of one colleague who has asked his patients to find another method of monitoring their INR's in the near future, as he anticipates laying off staff that currently performs this function.

Pertinent information and important links are posted on our website at www.nccacc.org. Information regarding your representative including their home offices can be found at: [www.house.gov/house/MemberWWW by State.shtml](http://www.house.gov/house/MemberWWW_by_State.shtml).

Sincerely,

James G. Jollis, MD, FACC

NCCACC Incoming Governor-Elect

 Send to a Colleague