

Action Alert

Contact any Patient or Professional Organizations that you have a Strong Relationship with and ask them to Sign the Community Letter to CMS Regarding Quality EDX Testing

Background

For 2013, the Centers for Medicare and Medicaid Services (CMS) unexpectedly announced deep cuts to the reimbursement rates for nerve conduction studies and needle electromyography. Subsequently, CMS indicated that ever-increasing utilization of the codes made the cuts necessary as a cost containment measure. This action has jeopardized quality electrodiagnostic (EDX) medicine and patient care by placing reputable providers under serious financial pressure while fueling the proliferation of fraud and abuse. EDX studies delivered by a qualified healthcare provider are crucial for the accurate diagnosis and proper treatment of serious conditions including ALS, muscular dystrophies, and various neuropathies, as well as common conditions like carpal tunnel syndrome, and cervical and lumbosacral radiculopathies.

In 2014, the U.S. Office of Inspector General (OIG) released a report entitled, *Questionable Billing for Medicare Electrodiagnostic Tests* that found 28% of tests, accounting for roughly \$140 million in annual healthcare spending, to be “suspicious.” The report makes recommendations to CMS focused on reducing the pervasive fraudulent billing. CMS has not taken any action in response to the OIG Report and has shown little interest in working with stakeholders to reduce fraud and abuse, promote quality EDX medicine and optimal patient care. Moreover, the reimbursement cuts have done little to deter the fraudulent services and mobile diagnostic labs that operate with little overhead and who have only re-doubled their efforts to make up for the losses caused by the reimbursement cuts.

CMS needs to show leadership and work with the stakeholder community to actively take steps that promote quality EDX medical care and eliminate ongoing fraud and abuse.

Take Action

- The community is currently circulating the attached sign on and corresponding fact sheet to CMS, which calls for information on this issue and a call with stakeholders to discuss meaningful steps moving forward.
- Please send this letter and fact sheet to any stakeholder organizations that you have a relationship with and encourage them to “sign on” (this includes other professional societies, state professional societies, and patient organizations).
- If the organizations that you work with would like to sign on or if they have any questions, please encourage them to contact Millie Suk of the AANEM at msuk@aanem.org or Dane Christiansen at christiansen@hmcw.org.
- A draft e-mail or phone script is included below to assist you with your outreach.
- Millie and Dane are available to support your outreach and provide you with any additional assistance upon request.

Draft Message

Dear _____,

The proliferation of fraud and abuse in electrodiagnostic (EDX) testing is undermining quality medical care and jeopardizing patient health and wellness. Despite being encouraged to address this growing threat by the U.S. Office of Inspector General, the Centers for Medicare and Medicaid Services (CMS) has shown little interest in taking any action to eliminate fraud and abuse and promote quality care. The patient and professional community is currently circulating the attached letter to CMS, which asks the agency to take a leadership role in addressing this issue and to work with stakeholders to ensure any efforts ensure optimal care is advanced. I have also attached a fact sheet with additional background information.

To sign on to this letter, please contact Millie Suk at msuk@aanem.org or Dane Christiansen at christiasnen@hmcw.org. Millie and Dane are available to answer any questions you may have in regards to this request. The letter will close on Friday, March 25th.

Sincerely,