



**AMERICAN ACADEMY OF  
OTOLARYNGOLOGY—  
HEAD AND NECK SURGERY**

December 15, 2015

The Honorable Tom Price, MD  
U.S. House of Representatives  
100 Cannon House Office Building  
Washington, DC 20515

Dear Dr. Price:

On behalf of the approximately 12,000 members of the American Academy of Otolaryngology—Head and Neck Surgery (AAO-HNS), I am writing to express our gratitude regarding the introduction of H.R. 3940, the “Meaningful Use Hardship Relief Act of 2015.” This legislation would provide physicians with a much needed expedited hardship exemption process for the year 2015. We applaud, and appreciate, your leadership in spearheading this critical effort on behalf of the nation’s physicians and the patients they serve.

As you are likely aware, the EHR MU incentive program was initially designed to emphasize greater efficiency in healthcare, decrease the costs associated with providing medical care, and to improve clarity and legibility of medical information as it is shared between providers, regulators, and public health agencies. While the AAO-HNS applauds the advancement, promotion, and adoption of health information technology across the nation, and has instituted initiatives in support of these efforts including the development of a clinical data registry, we remain concerned that a number of the EHR MU incentive program requirements are actually having the opposite effect of the intended goals.

Like many physicians, most of our specialists have been unable to successfully participate in the MU program, particularly as it has progressed to Stage 2. This inability to meet the program requirements is due to a number of factors, including: the need for interoperable EHR systems; unaccommodating measure thresholds and requirements; stringent reporting timelines; requirements dependent upon patient participation; and an overall lack of flexibility.

However, H.R. 3940 would provide some relief by enabling more physicians to successfully obtain a hardship exemption from CMS for 2015. This is especially important given the aforementioned stringent requirements for Stage 2 and the late publication of the Modification Rule. Passage of H.R. 3940 will help remedy the situation by providing CMS with the authority to issue blanket hardship exemptions, instead of requiring the agency to review exemption applications on a case-by-case basis. Without this critical change to the statute, hardship exemptions that would otherwise be approved may never be processed or will be significantly delayed, burdening thousands of physicians with penalties through no fault of their own.

We appreciate you leading this effort on Capitol Hill and remain optimistic that such efforts will yield positive results for AAO-HNS Members and their patients.

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If you or your staff would like additional information regarding our support of H.R. 3940, or other AAO-HNS legislative priorities, contact [legfederal@entnet.org](mailto:legfederal@entnet.org).

Sincerely,

James C. Denny III, MD  
Executive Vice President/CEO