



Dear ENT Advocacy Network Member:

April 30, 2021

Legislative and political activity directly affects our practices and our patients. As a leading advocate for otolaryngology-head and neck surgery, we hope you enjoy reading this edition of *The ENT Advocate*, your premier source of advocacy information for the specialty!

## Lead Story

### **AAO-HNS Applauds Prohibition of Menthol Cigarettes and Flavored Cigars Statement from James C. Denneny III, MD, Executive Vice President and CEO**

The American Academy of Otolaryngology–Head and Neck Surgery (AAO-HNS) salutes the Biden Administration for their historic action to prohibit menthol cigarettes and flavored cigars in the United States. The Academy has long advocated for banning these products and strongly supports the Administration’s decision to eliminate menthol cigarettes and urges the Food and Drug Administration to move expeditiously to propose, finalize, and implement the regulations to do so. The AAO-HNS has been a long-time member of the Tobacco Partners Coalition and ardent supporters of the Campaign for Tobacco-Free Kids. We stand with these organizations in support of this bold action that will help protect children from tobacco addiction, advance health equity, and save lives, especially among Black Americans who have long been targeted by the tobacco industry with predatory marketing for menthol cigarettes. Today’s landmark action, based on overwhelming scientific evidence, will result in both immediate and long-term benefits for U.S. citizens once implemented. We hope there will be additional actions targeting the use of flavoring of both tobacco-related and electronic cigarette products as a means of introducing children to smoking. [For more information, read the press release from the Campaign for Tobacco-Free Kids.](#)

## Legislative and Political Reports

### **2021 AAO-HNS/F Leadership Forum & BOG Spring Meeting**

The Academy’s Board of Governors (BOG), led by Chair Lance A. Manning, MD, hosted its first ever virtual AAO-HNS/F Leadership Forum & BOG Spring Meeting on April 17, 2021. Hundreds of members of the Academy came together to participate in a diverse advocacy-focused program. The event featured federal health policy updates from Congressional guests, Representative Larry Bucshon, MD (R-IN), and Wendell Primus, PhD, Senior Policy Advisor on Budget and Health to Speaker Nancy Pelosi (D-CA), a keynote address from Susan Bailey, MD, President of the American Medical Association, and a talk on Reimbursement Advocacy and Coding by AAO-HNS Advocacy Coordinator, R. Peter Manes, MD.

AAO-HNS Advocacy staff spoke to participants about our 2021 state and federal legislative and regulatory priorities. The Academy looks forward to following up this successful advocacy-focused forum with a virtual “fly-in” for members of the ENT Advocacy Network this summer. This will be a fantastic opportunity for our physician leaders to engage with Congressional offices on issues of critical importance to the specialty, including fair Medicare reimbursement, scope of practice, and prior authorization reforms.

### **Temporary Suspension of Medicare Payment Cuts Enacted**

On April 14 President Biden signed legislation ([H.R. 1868](#)) into law to eliminate the scheduled 2% across-the-board cut to all Medicare payments, known as sequestration, until the end of 2021. The Academy thanks our Congressional champions for shepherding this legislation into law, as well as members of the ENT Advocacy Network for responding to our “Call to Action” to prevent this arbitrary 2% cut. The AAO-HNS will continue its Congressional advocacy efforts to ensure fair Medicare reimbursement for practicing otolaryngologist-head and neck surgeons.

### **AAO-HNS Supports PREVENT HPV Cancers Act**

The AAO-HNS offered its strong endorsement of [H.R. 1550](#), the “Promoting Resources to Expand Vaccination, Education, and New Treatments for HPV Cancers Act,” new legislation introduced in the 117th Congress by U.S. Representatives Kathy Castor (D-FL) and Kim Schrier, MD, (D-WA). The “PREVENT HPV Cancers Act” seeks to create a CDC-run national public awareness campaign to increase HPV vaccination rates, increase funding at the National Cancer Institute to conduct research on HPV-associated cancers, and give states additional resources to improve their immunization information systems.

### **All Politics Is Local**

Participate with 174 of your colleagues in the voluntary State Trackers program. The AAO-HNS monitoring system helps you keep track of the pertinent legislation that is occurring in your state and allows you to advocate on topics such as scope of practice, licensure compacts, prior authorization, LEAD-K, CMV, and a myriad of other legislation that affects you, your patients, and your profession. Simply let us know you are interested by sending your name and email address to [legstate@entnet.org](mailto:legstate@entnet.org). We look forward to working with you!

## **Regulatory Reports**

### **Medicare Open Payments Program Year 2020 Data Review Period Now Open**

The Centers for Medicare & Medicaid Services has opened the [pre-publication review and dispute period](#) for its Open Payment national disclosure program. Physician review of the data is voluntary, but strongly encouraged. Disputes must be initiated by May 15 to be reflected in the June 2021 data publication. Please note that registration in the Open Payments system is required to participate in review and dispute activities.

### **CMS Updates List of Covered Telehealth Services**

On April 7 the Centers for Medicare & Medicaid Services (CMS) released an [updated list of services reimbursable via telehealth](#). The updated list includes tympanometry, audiometry, speech therapy, cochlear implant follow-ups, and other codes commonly used by AAO-HNS members and their practices. While some of these codes are included on telehealth list permanently, many are only reimbursable via telehealth until the end of the year in which the COVID-19 Public Health Emergency ends.

### **CMS Releases New 2021 Quality Payment Program Resources**

On April 22 the Centers for Medicare & Medicaid Services (CMS) made several new [Quality Payment Program \(QPP\) resources available to clinicians](#). These resources include a Performance Year 2021 Merit-based Incentive Payment Systems (MIPS) user guide, MIPS Measures and Activities Specialty Guides, Medicare Promoting Interoperability Program information, and a list of Alternative Payment Models for the 2020 and 2021 performance years. As noted in previous Academy correspondence, for the 2021 performance year, CMS will continue to use its Extreme and Uncontrollable Circumstances policy to allow MIPS eligible clinicians, groups, virtual groups, and APM Entities to submit an application requesting reweighting of one or more MIPS performance categories to 0% due to the current COVID-19 public health emergency. The application is expected to be released by the agency in the coming months.

### **Cigna Reverses Negative Coverage Policy on Eustachian Tube Balloon Dilation**

On April 15, following prolonged AAO-HNS advocacy efforts and work to create new Category I CPT codes to describe the procedure, Cigna revised its [Balloon Sinus Ostial Dilation for Chronic Sinusitis and Eustachian Tube Dilation medical coverage policy](#). Effective immediately, Cigna now considers unilateral or bilateral eustachian tube balloon dilation medically necessary once per lifetime for the treatment of chronic obstructive

eustachian tube dysfunction. Cigna joins other national payers, such as Highmark and Blue Cross Blue Shield Federal Employee Program, in covering this procedure performed by otolaryngologist-head and neck surgeons for select patients.

## Action Requested

### New Congress, New Contacts to Strengthen PROJECT 535

Successful legislative advocacy starts with a solid grassroots foundation. Given the ambitious legislative agenda for the 117th Congress, it's more important than ever for the Academy to strengthen its "key contacts" network via PROJECT 535. In addition to the Academy's overall advocacy efforts, PROJECT 535 volunteers help reinforce our message by establishing one-to-one relationships with federal elected officials. Federal lawmakers want to hear from YOU—their physician constituents! The commitment is minimal, but the impact is immense. To help further strengthen our collective advocacy efforts, [sign up](#) today or contact [govtaffairs@entnet.org](mailto:govtaffairs@entnet.org) for more information.

Sincerely,

Jeffrey S. Brown, MD  
BOG Legislative Affairs Committee Chair  
and the AAO-HNS Advocacy Team

For more information, contact [govtaffairs@entnet.org](mailto:govtaffairs@entnet.org). Don't forget to bookmark [The ENT Advocate!](#)

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