



Dear ENT Advocacy Network Member:

August 7, 2020

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 Releases Preliminary Summary of CY 2021 MPFS Proposed Rule

On August 3, the Centers for Medicare & Medicaid Services (CMS) released the [CY 2021 Proposed Rule](#) for the Medicare Physician Fee Schedule (MPFS), which also includes proposals related to the Quality Payment Program (QPP). The proposed regulations will be published in the Federal Register on August 17, 2020. The physician fee schedule release came hours after the President signed an [Executive Order \(EO\)](#) for the Department of Health and Human Services (HHS) to promote telehealth use and access. While AAO-HNS physician leaders and staff are still reviewing the over 1,300-page rule, a [cursory review](#) identified key proposals impacting the specialty. The Academy will submit comprehensive comments on all elements of the rule impacting the specialty by the October 5, 2020, public comment deadline.

## Legislative and Political Reports

### U.S. Senate Republican Leadership Releases Fourth COVID Relief Package

On July 27, U.S. Senate Republican leadership released a fourth legislative relief package, the “Health, Economic Assistance, Liability Protection, and Schools Act” (HEALS Act), in response to the ongoing COVID-19 pandemic. The key elements of this proposal impacting otolaryngologist-head and neck surgeons include:

- Liability Protections for Healthcare Providers
- Medicare Accelerated and Advance Payment Programs during COVID-19
- Public Health and Social Services Emergency Fund/Provider Relief Fund
- Paycheck Protection Program (PPP) Improvements and Second Draw Loans
- Safe and Healthy Workplace Tax Credit
- Authority to Extend Medicare Telehealth Waivers
- Requirement to Purchase Personal Protective Equipment (PPE) for the National Strategic Stockpile from Domestic Suppliers
- Improving and Sustaining State Medical Stockpiles

The HEALS Act serves as the first step in Senate negotiations with the U.S. House of Representatives, which separately passed COVID 4.0 legislation, the “Health and Economic Recovery Omnibus Emergency Solutions Act” (HEROES Act) on May 15, 2020. You can find a detailed summary of the previously listed provisions [here](#). The AAO-HNS legislative advocacy team continues its ongoing advocacy efforts with both the House and Senate to ensure relief for practicing otolaryngologists is included in the final package passed by Congress.

## AAO-HNS Advocates for Appropriate Physician Oversight after PHE Concludes

On July 22, the AAO-HNS joined more than 50 physician organizations in [urging CMS](#) to sunset temporary waivers involving scope of practice and licensure when the public health emergency (PHE) concludes. These temporary waivers enabled physicians and nonphysician healthcare professionals to provide critical care during the extraordinary circumstances resulting from the pandemic. Through the joint letter, the AAO-HNS reaffirmed support for the physician-led team-based approach to care and vigorously opposed efforts that undermine the physician-patient relationship during and after the pandemic.

## AAO-HNS Continues Advocacy to Address Impending Physician Shortage

On July 9, the Academy joined over 60 healthcare associations and specialty societies in urging Congress to support the "Resident Physician Shortage Reduction Act of 2019" ([S.348/H.R. 1763](#)). The AAO-HNS has long advocated for Congress to address the growing physician shortage. This bipartisan legislation would increase the number of Medicare-funded residency positions by 15,000, thereby helping alleviate physician shortages. As physicians continue to provide essential care during the COVID-19 pandemic, the need is greater than ever for Congress to act to ensure a strong and reliable workforce.

## Regulatory Reports

### AAO-HNS Advocates for Coverage of Balloon Sinus Ostial Dilation

On July 1, following the Academy's advocacy efforts and submission of clinical input, the Blue Cross Blue Shield Federal Employee Program updated its [medical policy](#) on "Balloon Ostial Dilation for Treatment of Chronic and Recurrent Acute Rhinosinusitis." The procedure is now considered medically necessary for the treatment of chronic rhinosinusitis when specific criteria are met. The AAO-HNS will continue advocacy efforts to ensure coverage for balloon ostial dilation for recurrent acute rhinosinusitis, as the policy still deems the service investigational for this indication.

### Position Statement on Complex Pediatric Otolaryngology Subcertification

The American Board of Otolaryngology - Head and Neck Surgery (ABOHNS), American Academy of Otolaryngology–Head and Neck Surgery, and American Society of Pediatric Otolaryngology co-authored and endorsed a [Position Statement](#) on Complex Pediatric Otolaryngology (CPO) subcertification that enforces the ability and competence of Board-certified otolaryngologists to evaluate and treat pediatric patients.

### New CPT Code for SARS-CoV-2 Antigen Test

On June 26, the [American Medical Association Current Procedural Terminology \(CPT\)](#) Editorial Panel approved a new code, CPT 87426, to report antigen testing on patients suspected of SARS-CoV-2 infection. The new code is one of four COVID-19 testing codes recently approved or revised by the panel. The code is effective immediately for use in reporting.

### AAO-HNS Continues Advocacy on Coverage for Hypoglossal Nerve Stimulation

On July 20, the AAO-HNS sent comments to Anthem opposing their current medical policy designating hypoglossal nerve stimulation (HGNS) as experimental / investigational for the treatment of obstructive sleep apnea (OSA). The comment letter highlights the Academy's position statement on HGNS and provides extensive literature support demonstrating that HGNS is an effective second-line treatment for moderate to severe OSA in select patients.

### New Position Statement on Recurrent Respiratory Papillomatosis and Gardasil Vaccination

On July 14, after a thorough review process by the Airway and Swallowing, Pediatric Otolaryngology, and Voice Committees, as well as the Physician Payment Policy (3P) Workgroup, the AAO-HNS Executive

Committee approved a new [Academy position statement](#) on Recurrent Respiratory Papillomatosis and Gardasil Vaccination.

## Action Requested

### Ask Congress to Support Otolaryngologists in Fourth Relief Package

As Congress works to negotiate the new COVID-19 stimulus legislation, we want to ensure this legislation includes much needed relief for otolaryngologist-head and neck surgeons and the patients you serve. Your Representatives and Senators need to hear from you about the impact of COVID-19 on our specialty. [Please click here](#) to access the action alert on the AAO-HNS Advocacy website. The alert includes a sample letter you can use to make your voice heard!

### Check Out AAO-HNS's Resources on COVID-19

The [Coronavirus Disease 2019: Resources](#) page on the AAO-HNS website is a comprehensive list of resources for members on COVID-19 issues impacting the specialty. Here you will find podcasts on COVID-19-related topics, research and Academy statements on anosmia as a COVID-19 symptom, Position Statements, federal and state financial assistance links, telemedicine updates, articles published in Otolaryngology–Head and Neck Surgery, and resources from other specialties and federal and state agencies. Please check this website regularly for the latest updates and information on coronavirus from the Academy.

Sincerely,

David S. Boisoneau, 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!](#)

If you no longer wish to receive important legislative and political updates via *The ENT Advocate*, please reply to this email with CANCEL ADVOCATE in the subject line.

\*Contributions to ENT PAC are not deductible as charitable contributions for federal income tax purposes. Contributions are voluntary, and all members of the American Academy of Otolaryngology-Head and Neck Surgery have the right to refuse to contribute without reprisal. Federal law prohibits ENT PAC from accepting contributions from foreign nationals. By law, if your contributions are made using a personal check or credit card, ENT PAC may use your contribution only to support candidates in federal elections. All corporate contributions to ENT PAC will be used for educational and administrative fees of ENT PAC, and other activities permissible under federal law. Federal law requires ENT PAC to use its best efforts to collect and report the name, mailing address, occupation, and the name of the employer of individuals whose contributions exceed \$200 in a calendar year.

American Academy of Otolaryngology- Head and Neck Surgery  
1650 Diagonal Road, Alexandria, VA 22314-2857  
Phone: 1-703-836-8444 | Fax: 1-703-683-5100