Reducing Prior Authorization Burdens

The AAO-HNS is advocating for Congress to pass legislation to further regulate the use of prior authorization by Medicare Advantage (MA) plans. Such legislation should, among other things, increase transparency, streamline the prior authorization process, and minimize the use of prior authorization for services that are routinely approved.

House: Representatives Suzan DelBene (D-WA), Mike Kelly (R-PA), Ami Bera, MD (D-CA) and Larry Buschon, MD (R-IN), introduced the Improving Seniors’ Timely Access to Care Act (H.R. 3173) on May 13, 2021. This legislation has 275 bipartisan cosponsors as of March 30, 2022.

Senate: Senators Roger Marshall, MD (R-KS), Kyrsten Sinema (D-AZ), John Thune (R-SD), and Sherrod Brown (D-OH) introduced the Senate companion to H.R. 3173, S. 3018, on October 21, 2021. This legislation has 22 bipartisan cosponsors as of March 30, 2022.

The Improving Seniors’ Timely Access to Care Act would create sensible rules to relieve administrative burdens on practicing physicians by streamlining and standardizing prior authorization (PA) within the MA program. Under H.R. 3173 and S. 3018, insurers must provide information such as an annual disclosure of the medical treatments subject to PA, the average time PA approvals take, and the percentage of PA requests that are approved and denied.

Prior authorization increases the time between a diagnosis and a procedure for patients and places an unnecessary administrative burden on physicians and their staff. To address these problems, H.R. 3173 and S. 3018 would:

- Establish a PA program that provides real-time decisions in response to requests for items and services that are routinely provided;
- Create a secure electronic PA (ePA) process and require MA plans to adopt ePA capabilities;
- Ensure PA requests are reviewed by a qualified medical professional;
- Increase transparency requirements by publishing specified PA information; and
- Ensure continuity of care when a patient transitions between MA plans.

NOTE: H.R. 3173 and S. 3018 do NOT apply to part D drugs.

Congressional Ask

House: Co-sponsor H.R. 3173, the Improving Seniors’ Timely Access to Care Act of 2021

Senate: Co-sponsor S. 3018, the Improving Seniors’ Timely Access to Care Act of 2021