Letters from Congress to CMS sent in the fall 2018 Congressional session are posted on the DOTC web page. The letters sent from the US House of Representatives and the US Senate are posted on the DOTC Day on the Hill web page. Please check to see if any of the members you’re meeting signed this letter and you may decide to refer to it in your meeting.

From US House of Representatives members to Seema Verma, CMS Administrator (October 18, 2018):

> It is unclear how CMS has deemed all of the OPD services at the grandfathered off campus HOPDs as cause of an unnecessary increase in volume of OPD services, and we ask you to provide clarity on this when making these payment changes. We want to ensure that the payment cuts in the proposed rule are targeting services that the agency has deemed unnecessary...could unfairly penalize grandfathered off-campus HOPDs that expand or diversify the critical services they offer to meet the changing needs of their patients...these changes should not diminish progress made in the shift to value over volume...As providers enter into different, value-based payment arrangements it is important that rate changes do not undercut...potentially diminishing provider arrangements desire to invest in these positive changes...The facilities impacted by this rule provide care to some of the most vulnerable patient populations in difficult to serve areas...it is critically important for these patients to be able to access care and services in the appropriate setting in their communities.

From US Senate members to Seema Verma, CMS Administrator (September 28, 2018):

> Section 603 was not meant to limit a grandfathered facility’s ability to offer existing services or to offer new services to meet patient need, ... an attempt to change this will hinder the ability of these facilities to adapt and meet patient needs...The facilities impacted by this rule include those that provide care to some of the most vulnerable patient populations in difficult to serve areas, and a number of changes in the rule are needed to ensure that they can continue serving their communities.