

December 2, 2019

The Honorable Mitch McConnell
Senate Majority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
1236 Longworth House Office Building,
Washington, DC 20515

The Honorable Charles E. Schumer
Senate Minority Leader
U.S. Senate
Hart Senate Office Building 322,
Washington, DC 20510

The Honorable Kevin McCarthy
House Minority Leader
U.S. House of Representatives
Rayburn House Office Building, 2421,
Washington, DC 20515

Dear Majority Leader McConnell, Speaker Pelosi, Minority Leaders Schumer and McCarthy:

More than 53 million seniors across the country rely on lifesaving laboratory diagnostic tests for early prevention and effective treatment of chronic disease every day. Unfortunately, these seniors are at risk of losing access to the critical clinical diagnostic services on which they depend due to flawed implementation of the 2014 *Protecting Access to Medicare Act (PAMA)*.

The undersigned organizations respectfully urge you to take immediate action to advance H.R. 3584, *The Laboratory Access for Beneficiaries (LAB) Act*. This is a common-sense, bipartisan bill that protects against further harm caused by PAMA. Failure to suspend the mandated reporting period in January will significantly jeopardize seniors' access to vital laboratory benefits in 2020 and beyond.

Because of the flawed implementation of PAMA, the Centers for Medicare and Medicaid Services (CMS) continues to rely on data from less than one percent of the nation's laboratories, an error that has already led to severe cuts to the most common routine lab tests—some of which will exceed 30 percent when fully implemented.

As a result, millions of seniors face a continued erosion of their Medicare lab benefits. Seniors managing diabetes, heart disease, liver disease, kidney disease, prostate and colon cancers, anemia, infections, opioid dependency and countless other conditions rely on routine access to laboratory tests to avoid painful and costly complications. Moreover, laboratories serving seniors in nursing homes—as well as the one in four seniors living in rural communities—disproportionately bear the brunt of cuts to clinical lab services.

To protect seniors, Congress must delay the next round of data reporting in 2020 to ensure that all applicable laboratories required to report private payor data have the time to do so. Passing the LAB Act, which would suspend data reporting until 2021, accomplishes two critical goals: it allows a more representative share of labs to report private market data; and it requires an external study to evaluate the data collection process, providing valuable time for stakeholders

and policymakers to determine how to reform PAMA and ensure a truly market-based system that will protect Medicare beneficiary access.

Our number one priority is protecting patients and ensuring they can access the care they need. Congress must take action and include the LAB Act in an end-of-year legislative package before unrepresentative market data further threatens patient health.

Sincerely,

AdvaMedDx
Aging Life Care Association
Alliance for Aging Research
American Academy of Family Physicians
American Association of Bioanalysts
American Association for Clinical Chemistry
American Clinical Laboratory Association
American Health Care Association
American Medical Technologists
American Society for Clinical Laboratory Science
American Society for Clinical Pathology
American Society for Microbiology
Association of Public Health Laboratories
bionorthTX
California Clinical Laboratory Association
Caregiver Action Network
Caregiver Voices United
Clinical Laboratory Management Association
Indiana State Medical Society
Infectious Diseases Society of America
Leading Age Indiana
National Association for the Support of Long Term Care
National Independent Laboratory Association
National Infusion Center Association
New York State Clinical Laboratory Association
North Texas Commission
Point of Care Testing Association
Regarding Cancer
RetireSafe
Rio Grande Valley Partnership
Texas Healthcare and Bioscience Institute
Texas Medical Directors Association
Texas Society for Post-Acute and Long Term Care Medicine