



**National
Business
Group on
Health**

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Creative Health Benefits Solutions for Today. Strong Policy for Tomorrow

May 5, 2011

The Honorable Charles Grassley
U.S. Senate
135 Hart SOB
Washington, DC 20510

The Honorable Ron Wyden
U.S. Senate
223 Dirksen SOB
Washington, DC 20510

Dear Senators Grassley and Wyden:

The National Business Group on Health strongly supports S. 756, the Medicare Data Access for Transparency and Accountability Act, which would make public what Medicare pays to individual providers (hospitals and doctors), beginning in 2013. The bill would also ensure that the federal government no longer exempts providers' Medicare claims data from Freedom of Information Act (FOIA) requests. We commend your efforts to increase provider transparency in order to promote accountability and quality and assisting seniors and all Americans to make more efficient health care choices.

The National Business Group on Health represents approximately 330, primarily large, employers (including 66 of the Fortune 100) who voluntarily provide health benefits and other health programs to over 50 million American employees, retirees, and their families.

The National Business Group on Health believes that all health care providers and facilities should publicly disclose, in a simple, user-friendly format, the cost, quality, safety, and efficiency of health care services they provide as well as any other data and information that may impact patients' care decisions, such as financial arrangements and clinical guidelines for treatment.

With consumers, taxpayers, and employers spending more than \$2.6 trillion on health care, it is critical that we have the right information to ensure value for that spending. By many independent estimates, as much as 30 percent of all health spending goes to care that is wasteful and even harmful to patients. The current state of publicly reported health care quality and cost information is inadequate with respect to physician-level data. Transparency is a necessary strategy to achieve high quality care. Employers and consumers need to have access to the Centers for Medicare and Medicaid Services' (CMS) Medicare claims data to ensure that we are able to identify high quality care and efficient, effective performance. Without the volume of patient visits from the Medicare claims data, it is difficult to have reliable data on performance, particularly for Medicare providers. Public reporting will also help providers identify areas of improvement. It will

also help consumers, referring physicians, and purchasers to select physicians providing high-quality services, thereby raising the bar for all.

The ultimate goal of analyzing the Medicare claims data is to report the number of various types of major procedures performed by each physician and reimbursed by Medicare, so, for example, a consumer selecting a physician for a knee replacement, prostate surgery or other major procedure will be able easily to check that a physician has an appropriate level of experience. Allowing organizations to analyze the Medicare claims data will also improve the Medicare program itself—for example, to assess whether the government is paying some unqualified physicians to do large numbers of certain high-risk procedures or, on the other hand, whether substantial numbers of patients are getting high-risk surgery from physicians who do too few procedures to maintain the needed skills—and whether certain physicians are billing the program for excessive numbers of expensive procedures.

We also support supplanting Section 10332 of the Patient Protection and Affordable Care Act, which we also supported, with the text of S. 756 to avoid duplication because your bill would implement a higher level of transparency and allow for the public release of individual, provider-specific claims.

Thank you for your efforts to increase provider transparency and improve the quality of care for our nation's seniors and all Americans. We look forward to continuing our work with you to pass S. 756 into law. Please contact me or Steven Wojcik, the National Business Group on Health's Vice President of Public Policy, at (202) 558-3012, if you would like to discuss our comments in more detail.

Sincerely,



Helen Darling
President

cc: The Honorable Kathleen Sebelius, Secretary, HHS
The Honorable Donald Berwick, M.D., Administrator, CMS
Ms. Marilyn B. Tavenner, Principal Deputy Administrator, CMS