



AMERICAN OPTOMETRIC ASSOCIATION

April 6, 2020

The Honorable Alex M. Azar
Secretary, U.S. Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, D.C. 20201

The Honorable Seema Verma
Administrator, Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
Hubert H. Humphrey Building
Room 445-G200
Independence Avenue, SW
Washington, D.C. 20201

Re: Immediate Physician Relief Via Public Health and Social Services Emergency Fund

Dear Secretary Azar and Administrator Verma,

On behalf of America's more than 33,000 doctors of optometry in more than 10,000 communities across the nation as well as the tens of millions of patients that rely on local doctors for their primary, medical, chronic, and emergency eye health and vision care needs, the American Optometric Association (AOA) urges the Department of Health and Human Services (HHS) and the Centers for Medicare & Medicaid Services (CMS) to directly and expediently distribute much-needed funds to doctors of optometry and other struggling frontline physician practices from the Public Health and Social Services Emergency Fund that were designated for providers in the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

As you know, the CARES Act increased funding for the Public Health and Social Services Emergency Fund by \$100 billion in order to reimburse eligible health care providers for health care-related expenses or lost revenues that are attributable to COVID-19. Eligible providers are public entities, Medicare or Medicaid-enrolled suppliers and providers, and other for-profit and non-profit entities as designated by the HHS Secretary. The law specified that funding be distributed on a rolling basis through "the most efficient payment systems practicable to provide emergency payment."

Doctors of optometry and other physicians are in a crisis and time is of the essence. While the U.S. Centers for Disease Control and Prevention (CDC) has issued guidelines directing Americans to delay routine care, including primary eye and vision care, doctors of optometry and other physicians are right now facing upwards of 60-70 percent decreases in in-person visits. With a severe reduction in resources needed to keep practices open, doctors are struggling to keep their offices open and caring for the emergency eye care needs of their communities. Preserving patient access to this emergency eye care is critical to ensuring that patients do not end up in an emergency room and potentially exposed to COVID-19 during this current public health crisis.

Additionally, many doctors of optometry care for Medicare patients with vision impairments and provide in-person therapy to Medicare patients to restore and enhance visual function. CMS has previously rightly noted the serious impact of untreated vision impairment, stating that vision impairment is a condition that “if unaddressed, affects activities of daily living, communication, physical functioning, rehabilitation outcomes, and overall quality of life. Sensory limitations can lead to confusion in new settings, increase isolation, contribute to mood disorders, and impede accurate assessment of other medical conditions. Failure to appropriately assess, accommodate, and treat these conditions increases the likelihood that patients and residents will require more intensive and prolonged treatment.”¹

Given the current public health crisis, many doctors who provide this critical care for their Medicare beneficiaries are unable to see their patients in person. We are concerned with the immediate impact that this is having on both practices and their patients and efforts must be taken to ensure these practices are viable in the future. Many physicians only have the resources needed to stay open and boost emergency room diversion for a matter of days before they’ll be forced to shutter practices altogether. Thus, we ask you distribute these funds directly and immediately to doctors of optometry and other frontline physician practices.

In past, relatively similar situations, Medicare Administrative Contractors (MACs) have been used to pay claims and distribute monies directly to providers for purposes other than Medicare payment (e.g., Section 1011). We believe that again using the MACs to process applications and make payments either to individual physicians or physician groups is appropriate. We recognize that standing up a process for the MACs over time to directly distribute funds based on physician applications is not an easy or quick task. Therefore, we ask HHS and CMS to direct the MACs to immediately distribute funds to every Medicare or Medicaid-enrolled doctor of optometry practice in the U.S. at the rate of \$35,000 per practice, and \$50,000 per practice in “hot spot” locations. This methodology is permissible under the CARES Act, which gives HHS and CMS the authority to make payments from the fund on a “prospective” and “prepayment” basis.

Communities rely on America’s doctors of optometry and other physicians to be there for them in times of emergencies. Whether that emergency develops in the form of a natural disaster, like a flood or hurricane, or as a virus, like COVID-19, doctors of optometry and other front-line providers are prepared to fulfill their commitment to their patients. While our members will continue to do everything they can to address eye and vision care emergencies in their communities, including those linked to COVID-19 cases, quickly making these funds available would help them continue to put the health and safety of patients and workers first, and in many cases, may actually ensure they are able to keep their doors open and their patients away from further virus exposure and out of overflowing emergency rooms.

We appreciate your leadership and the ongoing work of the White House Coronavirus Task Force. We look forward to continuing to work with you during this critical time to protect the health of our nation.

Sincerely,

A handwritten signature in black ink that reads "Barbara L. Horn, O.D." The signature is written in a cursive, flowing style.

Barbara L. Horn, O.D.
President, American Optometric Association

¹ <https://www.govinfo.gov/content/pkg/FR-2019-04-25/pdf/2019-08108.pdf>