



AMERICAN OPTOMETRIC ASSOCIATION

Barbara, L. Horn, O.D.

President, American Optometric Association

May 20, 2020

The Honorable Nancy Pelosi
Speaker, U.S. House of Representatives
H-232 Capitol Building
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader, United States Senate
S-230 Capitol Building
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader U.S. House of Representatives
H-204 Capitol Building
Washington, D.C. 20515

The Honorable Chuck Schumer
Minority Leader, United States Senate
S-221 Capitol Building
Washington, DC 20510

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer,

On behalf of America's more than 33,000 doctors of optometry and optometry students in 10,000 communities across the nation as well as the tens of millions of seniors, veterans, children, and working-age men and women that rely on local optometrists for their primary, medical, chronic, urgent, and emergent eye health care needs, the American Optometric Association (AOA) appreciates your leadership throughout this unprecedented crisis and is thankful for the decisive action you have taken to support doctors of optometry, other front line physicians, and patients in need.

Thanks to your efforts, millions of seniors now have new access to remote care provided by their doctor of optometry or other physician. Thousands of AOA doctors have also qualified for and received Paycheck Protection Program (PPP) forgivable loans, Economic Disaster and Injury Loans (EIDL) and advances, Medicare accelerated and advance payments, and HHS provider crisis relief grants - which have all helped doctors retain essential staff and remain open for urgent and emergent eye care needs despite massive losses associated with the months-long stoppage in preventive and elective care.

While these and other efforts have preserved patient access to essential care and provided the lifeline frontline health care practices needed when they needed it, many doctors of optometry have yet to receive relief and are still struggling. At the same time, those making careful moves toward again providing comprehensive eye and vision care are facing the challenges of the new reality, including substantial new costs associated with retrofitting offices to follow new patient safety protocols as well as the procurement

and unprecedented daily use of personal protective equipment (PPE). As Congress considers further virus response efforts, the AOA urges you and your colleagues to consider including within any new legislation:

New Crisis Relief and Recovery Funds – to help frontline health care practices survive losses associated with the months-long stoppage of preventive and elective care and to help prepare for and sustain the full resumption of comprehensive care needed for our national recovery, AOA supports legislation (S. 3559/H.R. 6365) sponsored by Sens. Barrasso (R-WY) and Bennet (D-CO) and Reps. Schrier (D-WA) and Roe (R-TN) to provide vital payroll aid for essential health care practices and workers.

Expand Public Health and Social Services Emergency Fund – while Medicare-enrolled doctors of optometry and other physicians across the country have begun to receive well-timed HHS provider relief grants, many struggling optometrists with large non-Medicare patient bases are still in significant financial stress. AOA supports clarifying language to better direct future HHS provider relief grants to doctors of optometry and other physicians serving a smaller Medicare patient base, those with a larger Medicaid and Medicare Advantage base, optometrists and others in urban, suburban or rural underserved areas, and those that do not generally bill public programs as a significant share of their practice.

Offset Costs of PPE and New Patient Safety Measures – with measured moves toward again providing close-contact eye and vision care, doctors are already facing substantial costs associated with retrofitting offices to comply with new patient safety guidelines and for the purchase and frequent use of PPE. AOA supports efforts in Congress to better direct PPE resources to doctors of optometry and other frontline physicians, including through direct distribution, federal support for procurement and restocking, and tax incentives to help offset retrofitting and ongoing PPE costs.

Extend and Improve PPP and EIDL – while PPP has proven a valuable resource, some small business optometry practices have been denied access to this relief while others who have secured support remain confused about the rules and their requirements under the program. AOA supports language to provide new PPP funding, broaden the covered period from crisis beginning to the end of 2020, target funding to health care practices with less than 25 employees, fix the sole proprietor exclusion, and allow PPP funds to be used for purchasing PPE. AOA also supports increased access to additional low-cost small business loan options and restoration of full \$10,000 EIDL advances, as Congress originally intended.

Medicare Accelerated and Advance Payment Programs – AOA supports updates to the Medicare Accelerated and Advance Payment Programs, including postponing recoupment until one-year after the advance payment is issued, reducing the per-claim recoupment amount from 100 percent to 25 percent, and extending the repayment period for doctors of optometry and other physicians for at least two years.

Relief for Optometry Students and New Doctors – new and future doctors of optometry are facing a unique set of challenges, including an unstable job market and potential disruption to instruction and clinical education. To further assist new doctors and students, AOA is backing proposals to provide relief for private student loan borrowers and those with commercially held Federal Family Education Loans (FFELs) or Perkins loans owned by universities. AOA also supports the establishment of a federal and private loan forgiveness program for loans acquired to receive medical and professional training by

optometrists and other essential health care workers who have made significant contributions to the COVID-19 pandemic.

Liability Reform – while some states have or are working to address liability concerns now worrying health care practices looking to move toward resumption of comprehensive care and a full patient load, AOA supports federal language that would hold health care providers harmless for patient injury or death while acting in good faith providing health care services in support of the nation’s virus response. Also, such legislation should maintain vital protections for those who are victims of acts of gross negligence or willful misconduct.

Testing – AOA appreciates recent U.S. Department of Health and Human Services action to expand access, including through doctors of optometry, to COVID-19 testing and to remove unnecessary regulatory burdens for ordering laboratory tests. Doctors of optometry are well positioned to play a key role in testing and re-testing likely needed to help keep essential health care providers fighting on the frontlines until arrival of a vaccine. As Congress considers new programs and resources aimed at boosting COVID and COVID-related testing capacity, AOA urges lawmakers to ensure that doctors of optometry are fully eligible for existing and new efforts.

Hazard Pay – with owner and employed doctors of optometry facing new and significant risks as a result of the pandemic, the AOA supports federally backed hazard pay for optometrists and other frontline health care workers. Any hazard pay proposal should fully recognize the key role optometrists play in helping to care for urgent and emergent care while keeping patients out of overflowing emergency rooms. Hazard pay proposals should include federally backed premium pay increase along with recruitment incentives.

Business Interruption Credit for Self-Employed – Thousands of doctors of optometry are self-employed or independent contractors. These physicians play a critical role in our health care system. AOA supports efforts in Congress to ensure that optometrists and others are eligible for refundable individual income tax credits for those who have experienced a significant loss of income due to the pandemic.

Communities rely on America’s doctors of optometry 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 will continue to fulfill our commitment to patients. In turn, we call on Congress to continue to be there for doctors as we navigate this pandemic together.

Congress has already provided much-needed assistance; however, many doctors have been left out and others are facing the new challenges of working toward again providing comprehensive care to their full patient base. It is vital to our national recovery that doctors of optometry and other frontline physicians continue to receive the support they need to help them and, in turn, our nation get through this crisis.

We very much appreciate your leadership throughout the pandemic and hope our comments help shape the next possible round of crisis relief legislation. If you have questions or need more information, please contact AOA staffer Matt Willette at mwillette@aoa.org.

Sincerely,

A handwritten signature in black ink that reads "Barbara L. Horn, OD". The signature is written in a cursive style with a large initial 'B' and a distinct 'OD' at the end.

Barbara L. Horn

President, American Optometric Association