



Welcome to the holidays edition of the AMA's *Very Influential Physician (VIP) Insider*. Read on for details about these topics:

- Congress introduces bipartisan legislation to combat Medicare payment cuts
- The National Journal's biggest political turkeys of 2020
- VIP member access to upcoming webinar: How to Build Relationships with New Members of Congress
- Nominations for the AMPAC Award for Political Participation now open

Congress passes end-of-year omnibus spending package – what it means for physicians

This week Congress passed a comprehensive omnibus spending package that funds the federal government through FY 2021, provides a new round of COVID relief and economic stimulus, and imposes new restrictions on surprise medical billing.

As our [topline summary](#) shows, the surprise billing provisions include several important improvements over a proposal that was circulated last week, which include the following:

- Clarification that an upfront, initial payment or notice of denial is required from the plan to the physician;
- An increase in the time for a physician to pursue independent dispute resolution (IDR), from 2 to 4 days;
- Prohibition against considering public program rates like Medicare, Medicaid, and Tricare during the IDR process; and
- Elimination of problematic timely billing provisions.

With respect to COVID relief, the legislation would ease the impact of Medicare fee schedule budget neutrality adjustments due to improved evaluation and management (E/M) office visit payment and coding rules, as well as an extension of the 2% Medicare sequester moratorium through March 2021. [Click here](#) for a topline summary of these and other significant provisions of the omnibus spending provisions, as well as a table estimating the impact of the Medicare payment changes (excluding the sequester moratorium extension).

Centrism or bust in the 117th Congress

By [Charlie Cook](#) of the [National Journal](#)

The COVID-relief package isn't likely to fully satisfy anyone. It should be a model going forward.

Almost a month ago, this column speculated that the configuration of the 117th Congress, combined with a Joe Biden presidency, could create the opportunity for a fruitful, productive era in Washington. We won't know until after the two Georgia runoffs on Jan. 5 which party will hold the majority in the Senate, but it is already clear that an ideological agenda of any sort has no chance of passing two congressional chambers, getting a presidential signature, and being enacted into law.

At least three members of Speaker Pelosi's Democratic caucus look likely to enter the Biden administration, creating vacant Democratic seats and further eroding an already wafer-thin advantage for the party in the House. Pelosi could find herself, at least temporarily, with a majority of just 219 or 220 members. The idea that anything remotely progressive could pass the House is laughable.

Ditto the Senate. With the outcome falling anywhere between a 52-seat GOP majority and Kamala Harris breaking the tie in a 50-50 chamber, nobody is going to be jamming anything overly conservative or liberal through this Senate.

In short, there are two paths: Either almost nothing of consequence passes, or it will be only consensus-oriented legislation, with coalitions built from the center out, rather than from an extreme in. The current coronavirus-relief package easing its way through Congress was instituted by the bipartisan, evenly divided "Problem Solvers Caucus," cochaired by Democratic Rep. Josh Gottheimer and GOP Rep. Tom Reed. It's a legislative mutt that nobody will truly love but a lot can like—or find at least acceptable. That should be a model for Congress going forward. In today's version of American politics, that is about as good as it can get.

Former ABC News political director and author Mark Halperin made some good points in his always astute *Wide World of News* political newsletter on Wednesday, writing that "whether or not Georgians decide to keep Republicans in the Senate majority in 2021, Mitch McConnell will be the second-most-powerful person in D.C. next year. The confirmation of Joe Biden's nominees and his legislative agenda—and perhaps the political viability of his entire presidency—depend to a certain extent on the hopes, dreams, calculations, and desires of the Gentleman from Kentucky."

McConnell is the Republican that Democrats and liberals love to hate more than any other, save President Trump, but watching him maneuver politically is like watching a chess grandmaster playing when many others in both chambers and both sides of the aisle would be severely challenged by a simple game of checkers.

Just look at his performance of late. As CNN political reporter Stephen Collinson writes, "By waiting so long to greet Biden as president-elect after November's election, McConnell likely built the political capital he needs to shut down any embarrassing efforts by pro-Trump senators to block Biden's inevitable ascent to the presidency."

As I wrote a month ago, some think hopelessly optimistic, there is a real chance that after a five-year period of extreme partisanship, surpassing any time in American politics in the past 140 years, the stars might be lined up just right to give us a respite. There is a real chance that the heat can be lowered a bit, the wingnuts on both ends of the spectrum might be marginalized, at least for a time, and some pragmatic and incremental steps can be taken on a host of issues that don't have to be highly partisan or deeply ideological. As the pandemic proves, just about anything can be made to be partisan and divisive, but it doesn't have to be. There doesn't have to be someone pouring gasoline over every issue and throwing matches in every direction.

This is a time to lower the temperature and not fan the flames, or at least push aside those who don't know how to do business any other way. No one knows this better than Joe Biden and Mitch McConnell. These two old bulls might be able to do business.

How to Write a Better Letter to Congress

by Bradford Fitch of the [Congressional Management Foundation](#)

With the 117th Congress starting its first session of Congress next month, we went into the Congressional Management Foundation (CMF) archives to share with you a definitive way you can be a better advocate in the new year – by writing more compelling letters to Congress.

I was giving a speech to an association about how Congress works and was asked, “What’s the biggest obstacle to improving the democratic dialog in America?” I replied, “Bad writing.” By following these five tips, citizen advocates’ correspondence can stand out among the crowd.

The Congressional Management Foundation sees this far too often in congressional offices — too many lawyers and policy wonks seeking to expound on a policy in an eight-paragraph email (as if that’s what will win over the constituent to their viewpoint). Yet we often see weak messages from advocacy groups as well.

Most of the messages citizens send to Capitol Hill were drafted by somebody else. This doesn’t mean the constituent doesn’t agree with the position they’re espousing — they most definitely do. They’ve joined an association, company or nonprofit and asked to be alerted when a policy issue they care about emerges in Congress. Subsequently, they get their “Action Alert,” give it a quick once-over, and hit “send.”

This means our traditional view of the democratic dialog — comprised of millions of Americans independently writing to 535 members of Congress — is in reality driven mostly by a few thousand lobbyists writing to a few thousand legislative correspondents and mail managers on Capitol Hill.

Professional advocates think the object of the process is to persuade — it is not. Do you really think an LC is going to read a hundred of these missives and say, “Oh, NOW, I’m convinced,” then suddenly run in the member’s office like a converted zealot? When crafting a “mass communication” message to Congress, advocates should look at the process differently, and consider these five rules.

1. Be specific — the “ask” must be measurable. Prior to the hearings for Supreme Court nominee John G. Roberts Jr. in 2005, a national group sent a message to millions of its members asking them to email senators on the Judiciary Committee. Their request was this: “Ask tough questions of Judge Roberts.”

Seriously? What did they think the senators were going to ask? “Judge Roberts, what’s your favorite ice cream?” The mail room staffers who read these messages simply snickered as they moved them to the “easy-to-respond-to” pile. Good form messages have a simple request that holds the legislator accountable. “Vote for,” “co-sponsor,” “sign this letter” — something that makes the lawmaker say yes or no. Some staffers will grumble, “Darn — we didn’t want to take a position on this so soon.” Tough . . . that’s what they get paid for.

2. Keep it short — seven to 10 sentences. No congressional staffer is going to read a form campaign email for more than a few seconds. Their job is to size it up and move it to the right pile to respond as quickly as possible.

Writers should: refer to the issue or bill; make the specific ask, include some personalized comment to localize the issue to the legislator’s district or state and thank them. Save the long policy arguments for the briefing material sent to the legislative assistant.

3. Personalize and establish standing. In a CMF survey of congressional staff, 51 percent said that a “form email” would have “some” or “a lot” of influence, compared to 88 percent for an “individualized email.” Professional advocates who draft these messages should strongly urge citizen advocates to personalize the message.

“As a small business leader with 10 employees . . .,” “This regulation affects two million Virginians . . .,” “Like many Americans, my father has Alzheimer’s . . .” Staff and members report that these kinds of messages, especially as part of broader campaigns, are much more helpful to their decision-making process.

4. Connect to the larger group. Messages should be transparent about the group who is coordinating the campaign. It not only helps add credibility, it adds heft to the individual sending the message. Suddenly the congressional office does the math and says, “Oh . . . they have 2,000 members in our district,” and ties that position to a large number of constituents.

5. Augment other advocacy efforts. Back in the 1990’s a well-coordinated and expensive postcard campaign might turn the head of a legislator on its own. But the Internet changed the economics of advocacy. Websites and social media make it much easier for groups to build campaigns. That means form email campaigns should be part of broader efforts to build relationships with the lawmaker.

Encourage supporters to participate in town hall meetings, engage in Twitter chats, or schedule in-state meetings during recess.

Email exchanges between members of Congress and constituents are still the most common form of interaction in our democracy. A little more thought into the content and crafting of those messages could greatly improve that dialog

Nominations for AMPAC Award for Political Participation Now Open

Awarded every two years by the AMPAC Board of Directors the AMPAC Award for Political Participation recognizes an AMA or AMA Alliance member who has made significant personal contributions of time and talent in assisting friends of medicine in their quest for elective office at the federal and state level. These can include: volunteer activities in a political campaign or a significant health care related election issue such as a ballot initiative or referendum.

Nominees must be a current member of the AMA or AMA Alliance and AMPAC with preference given to members with a demonstrated history of AMPAC involvement. The deadline to submit nominations is January 31. The full criteria for the 2019 AMPAC Award for Political Participation including how to submit a nomination can be found [here](#).

The winning nominee will receive special recognition during the AMPAC Board Chair’s speech before the House of Delegates or during the AMPAC luncheon at the AMA Annual Meeting in Chicago. The winning nominee will also receive free admittance (including airfare and hotel expenses) to a future AMPAC political education program (campaign school or candidate workshop) in Washington, DC.
