



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

- Senate introduces bipartisan legislation to make telehealth services permanent – take action!
- House members urge action to avert potential E/M cuts
- Hotline's final 2020 House power rankings
- AMPAC Campaign School is going virtual

---

### **Senate introduces bipartisan legislation to telehealth services permanent – take action!**

As we notified you last month, Congress still remains deadlocked on additional COVID-19 relief legislation our country's health care system continues to struggle under the massive strain the pandemic continues to exert on it.

During this time telehealth services have emerged as a critical tool to provide care to patients while supporting physical distancing efforts and reducing the spread of COVID-19 and other infectious diseases by avoiding unnecessary outpatient visits.

Earlier this year, Congress acted to temporarily expand access to Medicare covered telehealth services to all Medicare beneficiaries by authorizing HHS to waive outdated statutory restrictions on where telehealth services may be provided. Before this action, Medicare was only allowed to pay for telehealth services provided to Medicare beneficiaries in rural areas at an originating site health care facility.

Unless Congress acts before the end of the COVID Public Health Emergency, millions of Medicare beneficiaries outside of rural areas will lose access to Medicare telehealth benefits, and rural Medicare beneficiaries will once again be required to drive to a health care facility to receive them.

Recently, bipartisan legislation was introduced in the Senate to make the expanded access to telehealth services permanent. The Telehealth Modernization Act of 2020 (S. 4375) would lift the rural-only restriction and add any site where a patient is located as a potential originating site. This would ensure all Medicare beneficiaries may receive covered Medicare telehealth benefits, including at home and via mobile technologies as appropriate.

The evidence is in – The success of telehealth technology adoption during the COVID-19 public health emergency has made it abundantly clear that Medicare covered telehealth benefits should be available to ALL Medicare patients regardless of where they live or how they access broadband services!

**Please [contact your senators](#) and ask them to support The Telehealth Modernization Act of 2020 (S. 4375) today!**

---

### **House members urge action to avert potential E/M cuts**

Earlier this month, [229 bipartisan House members cosigned a letter](#) to Speaker Nancy Pelosi and House Minority Leader Kevin McCarthy calling on House leadership to pass legislation this year and prevent devastating cuts to many specialties posed by the application of budget neutrality to new

Evaluation & Management Code (E/M) changes and other policies proposed by CMS in the Medicare Physician Fee Schedule Rule scheduled to take effect on Jan. 1, 2021.

While the new E/M payment policies include improvements for maternity care and much-needed payment increases for physicians delivering primary and complex office-based care, unfortunately a statutory budget neutrality rule requires that any increases in Medicare payments for these office visits known as E/M services must be offset by corresponding decreases across all services. As a result, many specialists are now facing cuts of as high as 11% on Jan. 1, 2021, if Congress does not act. The letter, led by Reps. Ami Bera, MD (D-CA) and Larry Bucshon, MD (R-IN), exceeds the 218 members needed to pass legislation in the House, and it sends a powerful message to House leadership to act on this priority issue this year to avert the cuts.

The AMA worked closely with coalition partners in successfully encouraging a majority of House members to sign on to the letter. The AMA will continue to urge Congress to safeguard Medicare beneficiaries' access to care during the COVID-19 pandemic and pass legislation to prevent these draconian cuts.

The American Hospital Association, the American Medical Association, the American Health Care Association and the National Association for Home Care and Hospice [wrote congressional leaders this week](#) urging them to extend the congressionally enacted moratorium on the application of the Medicare sequester cuts into 2021 and through the duration of the public health emergency. Together, these organizations provide health care to more than 62 million Medicare patients, and the persistently high COVID-19 rates across the country are stressing the health care system.

The letter urges extension of the relief from the 2% sequester cut enacted in the CARES Act, which afforded critical relief during the pandemic to all providers who participate in the Medicare program through the end of 2020.

---

### Hotline's Final 2020 House Power Rankings

By [National Journal](#)'s Kirk A. Bado, Leah Askarinam and Josh Kraushaar

Despite President Trump's confidence that his party will retake the House, Republicans are more focused on trying to stem further losses hoping to pick off a handful of Democratic incumbents who are running in GOP-leaning districts.

Democrats are all but certain to gain two seats in North Carolina thanks to redistricting, further raising the threshold for Republicans to take back the majority. Poor fundraising, lackluster candidate recruitment, and Trump's shadow have stamped out nearly every path back to power. The rosier projections from GOP strategists cap their gains at five seats on a good night.

Buoyed by 32 open seats previously held by Republicans, Democrats have utilized their fundraising advantage to press deep into Republican territory, forcing outside GOP groups to play defense in seats that were unheard of a year ago.

Our findings are based on an analysis of candidate recruitment, demographics, fundraising, polling, and interviews with party strategists.

None of these are certain wins either way, but a little more than a week out it appears that

Democrats are poised to expand their majority.

#### 1. Georgia's 7th District: Open (R) ↑

If demographics are destiny, Republicans are all but certain to lose the seat held by retiring Rep. Rob Woodall in the Atlanta suburbs. The Democratic nominee, Carolyn Bourdeaux, came within 500 votes last cycle, and physician Rich McCormick has failed to make a case for himself, thanks to his

anemic fundraising in an expensive media market. Outside groups have spent more than \$13 million on the race, a testament to the early buy-in from both parties. Joe Biden is expected to carry the district, especially the portion including rapidly diversifying Gwinnett County, which has all the hallmarks of the districts that delivered the House majority to Democrats in 2018.

## **2. Minnesota's 7th District: Rep. Collin Peterson (D) ↑**

If 2018 marked the beginning of the realignment of Minnesota's House districts—Republicans flipping open seats in the predominantly rural 1st and 8th Districts, while Democrats flipped the suburban 2nd and 3rd Districts—then Peterson's only hope is that 2020 doesn't mark its completion. But rather than the fact that Trump carried his rural district by 30 points, Republicans' confidence that Peterson's 28 years in Congress might be coming to an end rests in their nominee, former Lt. Gov. Michelle Fischbach. Democrats acknowledge that Peterson is in a precarious position but point to a couple silver linings. First, given Trump's erosion in popularity over the past four years, the president might carry the district by a narrower margin and Peterson would have to convince fewer voters to split their ticket. Secondly, Peterson has been highlighting his vote against impeaching the president and his role as chairman of the House Agriculture Committee. The only thing keeping this district in Democrats' grasp is Peterson himself, but that's an awfully heavy load to carry in a presidential year with such a polarized electorate.

## **3. Texas' 23rd District: Open (R) ↓**

Since Hotline's July power rankings, Republicans have gotten bullish on holding onto the sprawling district that stretches along the Rio Grande River from El Paso to San Antonio. Navy veteran Tony Gonzales has shown some resilience since securing the nomination in July. But Gonzales, like many Republican candidates this cycle, is relying on outside groups to subsidize his campaign against a well-funded Democratic opponent. Gina Ortiz Jones built a massive cash advantage after she won the Democratic primary outright, when Gonzales was still mired in a primary runoff. The district is one of three that Hillary Clinton carried in 2016 where Republicans survived the 2018 blue wave. Without Will Hurd on the ballot, Republicans will have a difficult time holding on, even if it's not a blowout for Democrats.

## **4. New Mexico's 2nd District: Rep. Xochitl Torres Small (D) ↓**

Throughout the cycle, Republicans have relied on messaging that ties the freshman to out-of-state Democrats such as Nancy Pelosi and Sen. Bernie Sanders, a familiar theme for Democrats who represent districts that Trump carried. But it seems within the realm of possibility that Biden could improve upon Clinton's 2016 share of just 40 percent in the district, if not actually carry the district outright. But the predominantly Hispanic and rural district relies on the oil and gas industry, which means Biden's debate performance gives Republicans' another avenue through which to attack Torres Small. Democrats got their preferred opponent in 2018 nominee Yvette Herrell, who had spent \$2.6 million as of Oct. 14 compared to Torres Small's \$6.5 million. Herrell was outspent in 2018 and lost; it's hard to tell whether she'll be facing a more favorable environment this time around.

## **5. Indiana's 5th District: Open (R) ↑**

The seat is another example of a once-safe red district where the tectonic leftward shift of the suburbs has put Republicans on the ropes. 2016 Lt. Gov. nominee Christina Hale cuts a similar profile to the House Democratic freshmen. State Sen. Victoria Spartz was far from national Republicans' first choice to defend National Republican Congressional Committee recruitment chair Susan Brooks's seat, but she emerged from the crowded GOP primary buoyed by more than a \$1 million in self loans and a boost from the Club for Growth. Despite her compelling personal story of immigrating from Ukraine to the United States, she has frequently butted heads with the local Republican party and not endeared herself to more moderate members of the party thanks to her full-throated support of Trump. Partisan polling from the shows the president underwater in a district that he carried by 12 points in 2016.

#### **6. Oklahoma's 5th District: Rep. Kendra Horn (D) ↓**

Horn's reelection hangs on her ability to socially distance herself from national Democrats and demonstrate her independence. But the energy industry is still king in Oklahoma City and Biden's struggles articulating his energy policy could have ramifications further down the ballot. In a rare break with the top of the ticket, Horn publicly chastised Biden for initially saying he would "transition away from the oil industry" during his administration. She's facing state Sen. Stephanie Bice, who emerged from the contentious Republican primary despite the conservative Club for Growth spending nearly \$1 million on attack ads opposing her. Horn's win was one of the biggest surprises in 2018, and the most recent district poll shows the race within the margin of error.

#### **7. Arizona's 6th District: Rep. David Schweikert (R) ↑**

Schweikert's ethics issues seem to be catching up with him, putting Republicans on alert and providing a surge of optimism for Hiral Tipirneni. As of Oct. 14, Tipirneni spent \$4.8 million on her race while Schweikert, mired in legal problems, had spent \$1.7 million. But Arizona is a presidential battleground that's also hosting a top-tier Senate race, making it particularly challenging for any candidate to break through the noise. In other words, even if Schweikert's ethical issues are disqualifying, there's no guarantee that enough voters will know about it by Election Day. In that case, Tipirneni's fate might depend on Senate nominee Mark Kelly or Biden boosting Democratic turnout in the suburban district.

#### **8. New York's 11th District: Rep. Max Rose (D) ↑**

The GOP's law-and-order messaging is running nonstop in House races throughout the state of New York; it's especially resonant in Staten Island, where many police officers and law enforcement officials live. Rose has responded by aggressively distancing himself from many of his own party leaders, especially New York City Mayor Bill de Blasio (whose disapproval rating is a whopping 74 percent in the district, per one GOP pollster). Democrats are outspending Republicans here—and are even airing ads on costly New York City broadcast television—but it may not be enough to overcome the GOP-friendly trends in the blue-collar district.

#### **9. Missouri's 2nd District: Rep. Ann Wagner (R) ↑**

In 2018, Democrats won control of the House largely by focusing on health care, and while the rest of the state is shades redder the wealthy St. Louis suburbs could respond well to that messaging. State Sen. Jill Schupp has steadily knocked Wagner for supporting the GOP efforts to roll back the Affordable Care Act, reflecting the drastic shift in public perception of Barack Obama's signature legislative achievement. In August, the state expanded Medicaid eligibility through a ballot measure, with support from voters in suburban "areas that have been voting in support of Republicans for more than a decade," according to The Kansas City Star.

#### **10. New York's 22nd District: Rep. Anthony Brindisi (D) –**

The race would be higher on the list but former Rep. Claudia Tenney has not demonstrated much improvement over her 2018 loss to Brindisi. She has been outspent 3-to-1, outraised 5-to-1, and reported nearly \$1 million less cash on hand going into October. Brindisi has used his cash advantage to tout his work passing the SPOONSS Act in his ads, while outside GOP groups have knocked Brindisi using audio of Trump criticizing him. Trump carried the district by 16 points in 2016, the second highest margin of any seat represented by a Democrat.

---

#### **How Long Should Citizen Advocates Wait Before Following Up?**

Research conducted by The Congressional Management Foundation (CMF) finds that [85% of congressional staffers think that advocates could do a better job following up after their meetings](#). This includes 46% who indicated that constituents don't follow up in a timely manner. Therefore, CMF wanted to know how much time constituents should wait after meeting with Members of Congress or their staff before following up to ask for an update. To find out, CMF asked legislative assistants and legislative directors the following question:

*"If you are not able to provide a firm answer to their (constituents') request/ask, how long should someone wait before they contact you for an update?"*

**We learned:** Nearly two-thirds (66%) of the congressional staff who responded to the survey said that constituents should wait at least one week before following up after a meeting for an update on their Member of Congress' policy decision. Only 14% responded, "at least three days," and just 21% answered, "at least one month."

Clearly, less than one week is too soon to follow up, unless the circumstances are time-limited (e.g., a deadline to sign onto a "Dear Colleague Letter"). Otherwise, advocates should follow up within one to four weeks after meetings with Congress to ask about their Members' policy decisions on the issues discussed during meetings.

---

### **AMPAC Campaign School is going virtual**

Due to the ongoing COVID-19 pandemic the AMPAC Campaign School will be conducted virtually this year.

In order to provide all of the same high-quality programming the Campaign School is known for in a "virtual" format, this year's program will be conducted over two weekends – January 15-17 and 23-24.

Participants will be broken into online campaign "staff" teams, and apply what they learn in sessions on strategy, vote targeting, social media, paid advertising and public speaking. Insider tactics will be taught virtually by experts from both sides of the political spectrum. These professionals are the experts currently advising campaigns at every level around the country.

Be part of a campaign team from the comfort of your own home!

[Registration for the Virtual Campaign School is now open!](#) Space is limited and deadline to register is November 10, 2020 or sooner if capacity is reached.

For more information or to apply visit the [AMPAC website](#) or contact us at: [politicaleducation@ama-assn.org](mailto:politicaleducation@ama-assn.org)

Your campaign begins today!

---