

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

- New Congress brings new call for Medicare physician pay overhaul
- Still time to register for the 2023 Candidate Workshop
- Constituent groups have more influence than Congressional leadership
- The Senate primaries to watch so far

## New Congress brings new call for Medicare physician pay overhaul

**What's the news:** The AMA is joining over 150 organizations that represent a significant share of the nation's physicians and other clinicians to tell every U.S. senator and representative about the critical importance of calling hearings and working with stakeholders to explore long-term payment solutions for the broken Medicare physician payment system.

The joint letter from the AMA, American College of Radiology, American Academy of Family Physicians, American College of Physicians and many other organizations comes on the heels of Washington politicians' failure to stop the entirety of this year's Medicare pay cuts. Physicians are facing a 2% cut in Medicare payment in 2023, and 2024 will bring at least a 1.25% cut.

Doctors had been staring down as much as 8.5% in 2023 Medicare pay cuts, but an advocacy campaign led by the AMA and joined by more than 150 organizations representing over 1 million physicians and other health care clinicians helped stave off many of the reductions.

"While Congress has taken action to address some of these fiscal challenges by mitigating some of the recent Medicare Physician Fee Schedule (MPFS) cuts, payment continues to decline," notes the joint letter to Congress. "According to an American Medical Association analysis (JPG) of Medicare trustees data, when adjusted for inflation, Medicare payments to clinicians have declined by 22% from 2001–2021."

With the new Congress, the AMA and others are again asking lawmakers on Capitol Hill to "work with us on long-term, substantive payment reforms and urge congressional hearings as soon as possible to begin exploring potential payment solutions to ensure America's seniors continue to receive access to the high-quality care they deserve."

Leading the charge to reform Medicare pay is a critical component of the AMA <u>Recovery Plan</u> <u>for America's Physicians</u>.

The AMA has challenged Congress to work on systemic reforms and <u>make Medicare work</u> <u>better for you and your patients</u>. Our work will continue, fighting tirelessly against future cuts—and against all barriers to patient care.

Why it's important: Physicians "face an increasingly challenging environment providing Medicare beneficiaries with access to timely and quality care, which is particularly important for underserved and rural areas," says the joint letter to members of Congress. "The medical community continues to contend with the residual impacts of the COVID-19 pandemic, a new tripledemic in many regions of the country, record levels of burnout, workforce shortages, and ongoing reductions to Medicare Part B payment and private-payer reimbursement."

Moreover, the Medicare physician payment schedule "lacks an <u>annual inflationary</u> <u>update</u> (PDF), even though clinicians—many of whom are small business owners—contend with a wide range of shifting economic factors, such as increasing administrative burdens, staff salaries, office rent, and purchasing of essential technology when determining their ability to provide care to Medicare patients. The absence of an annual inflationary update, combined with statutory budget neutrality requirements, further compounds the difficulties our members face in managing resources to continue caring for patients in their communities."

All of this together clearly shows "that the Medicare payment system is broken," says the letter. "These systemic issues will continue to generate significant instability for health care professionals moving forward, threatening patient's timely access to essential health care services."

**Learn more:** At its most recent meeting, the <u>Medicare Payment Advisory Commission</u> <u>acknowledged</u> the growing gap between the costs of practicing medicine and what Medicare pays.

The AMA—in collaboration with 120 other physician and health care organizations—has outlined the essential principles (PDF) that can put the nation's health care system on sustainable financial ground.

Visit <u>AMA Advocacy in Action</u> to find out what's at stake in reforming Medicare payment and other advocacy priorities the AMA is actively working on.

## Still time to register for the 2023 Candidate Workshop

Ever wonder how Doctors get elected to Congress or your state legislature? Considering a run for office for yourself? The AMPAC Candidate Workshop will teach you how to run a winning political campaign, just like we taught many of your AMA colleagues over the years.

After two years of hosting the program virtually due to the COVID-19 pandemic, the AMPAC Candidate Workshop is returning in-person March 31 – April 2 at the AMA offices in Washington, DC – registration now OPEN!

The Candidate Workshop is designed to help you make the leap from the exam room to the campaign trail and give you the skills and strategic approach you will need to make a run for public office.

At the Candidate Workshop, Republican and Democratic political veterans work together to give you expert advice about being a successful candidate and how to run a winning campaign. You will learn: the importance of a disciplined campaign plan and message; the secrets of effective fundraising; what kinds of advertising may be right for your campaign; how to work with the media; as well as how to build your campaign team and a successful grassroots organization.

Please note the following:

- The Candidate Workshop is open to AMA physician members, member spouses, residents, medical students and state medical society staff.
- Registration fee is \$250 for AMA Member/\$1000 for non-AMA members. This fee is waived for AMA residents and students; however, space is limited and the AMPAC Board will review and select four participants from the pool of qualified resident and student applicants.
- Faculty, materials, and all meals during the meeting are covered by the AMA. Participants are responsible for their registration fee, travel to/from Washington, DC and hotel accommodations (AMA will provide you with a list of nearby hotels within walking distance of the AMA offices).
- Participants will be required to bring a laptop or Wi-Fi enabled tablet with them.
- All participants will be required to attest to being fully vaccination with at least one booster for the COVID-19 virus.

<u>Registration for the 2023 AMPAC Candidate Workshop is now OPEN.</u> Space is limited and the deadline to register is March 17, 2023.

For more information please contact: Politicaleducation@ama-assn.org

## Constituent groups have more influence than Congressional leadership

Our partners at the Congressional Management Foundation (CMF) wanted to quantify who has more influence on congressional decisions: constituent groups (association members, nonprofit supporters, or company employees) or congressional leaders. We asked legislative assistants and legislative directors the following question:

"When making a recommendation to your boss on a vote or co-sponsorship, how important are the following in your decision-making process?"

What they learned: Organizations with active advocacy networks have almost four times more influence on congressional decisions than congressional leaders. While one in five (21%) congressional staff responded that the position of our congressional leadership is a "very important" factor in their decision-making process, four out of five (81%) said that the position of key group(s) with constituents in our district/state is very important. This research counters the narrative that policy decisions are made by powerful congressional leaders in smoke-filled rooms. The truth is that organizations with active advocacy networks have a great deal more influence in the congressional decision-making process than congressional leadership.

Source: Partnership for a More Perfect Union, Copyright Congressional Management Foundation, CongressFoundation.org. Used with permission.

## The Senate primaries to watch so far

By Kyle Kondik and J. Miles Coleman

One of the peculiarities of the 2022 election cycle was that, despite a good deal of political turbulence the past few years, incumbents thrived. Only a single incumbent governor lost (Democrat Steve Sisolak of Nevada), and not a single incumbent senator lost, either in the primary or general elections.

In fact, no sitting senator has lost a primary in any of the last 5 regular elections — they were undefeated for renomination in 2014, 2016, 2018, 2020, and 2022. That ties the 1982-1990 stretch for the longest string of regular elections since World War II where no senator lost a primary, per the Brookings Institution's Vital Statistics on Congress.

The only incumbent blemish in recent years came in an irregularly-scheduled special election, when appointee Luther Strange (R) lost to Roy Moore (R) in the 2017 Alabama special election primary.

Besides that, the last incumbent senator to lose a primary was way back in the 2012 cycle, when long-serving Sen. Richard Lugar (R-IN) lost to then-state Treasurer Richard Mourdock (R). (Notice that both of the most recent Senate primary defeats saw GOP primary voters swap out a probable general election winner for a loser.)

As we look ahead to the 2024 Senate primary season and ponder whether any incumbent is in jeopardy, it's worth remembering this history: Incumbent senators are hard to unseat in a primary setting.

Part of what might keep the incumbents' streak going this cycle is the early decisions by a couple of senators not to pursue renomination next year.

On Tuesday, long-serving Sen. Dianne Feinstein (D-CA) announced her retirement: There have been questions for years about the elderly Feinstein's capacity to serve, and it appears she is finally bowing to reality. A couple of California House members helped nudge her towards the door by announcing their bids before she announced her plans (more on that below).

Late last year, Sen. Kyrsten Sinema of Arizona left the Democratic Party, opting to become an independent despite continuing to caucus with Democrats. She too would have had trouble in a primary given some high-profile breaks with President Biden and other Democrats over the past few years.

So with those moves, the two senators who might have had the hardest time getting renominated are not running for renomination (or, at least in the case of Feinstein, not running at all — Sinema's future plans remain a mystery).

So what other primaries merit watching? Let's go through some others we are monitoring:

— Sen. Mitt Romney (R-UT) has not announced his 2024 plans. During his term, Romney has emerged as a key member of the Senate's centrist bloc. Romney may have frustrated state partisans last year, as he was not seen as a "team player" — he was the only sitting Republican senator who did not endorse his home-state Sen. Mike Lee (R) for reelection. Lee, who was elected in 2010, actually is the most recent senator who made it to the chamber via a successful primary challenge (remember, Mourdock in 2012 and Moore in 2017 lost). And Lee's case was special: he defeated the late Sen. Bob Bennett at a convention. Under the rules at the time, Bennett placed third at the May party convention, so he could not advance to the June primary. But under Utah's <u>current system</u>, Republicans who don't earn the party's endorsement at the convention can petition to appear on the primary ballot. In fact, in 2018, Romney <u>placed second</u> at the party convention but went on to easily win with a broader primary electorate.

With Feinstein and Sinema out of the picture, Romney is hypothetically the most vulnerable incumbent in the 2024 primary season (assuming he runs). Bryan Metzger of Insider had a good <u>rundown</u> recently of Romney's challenges; he quoted an unnamed Utah Republican consultant who said that polling suggested Romney was in the low 40s in a hypothetical primary. That might be enough to win if his opposition is splintered, but Romney may struggle against a single, strong opponent.

- The most recent addition to the Senate has been from Nebraska: after wrapping up 2 terms as governor, Republican Pete Ricketts was appointed to replace fellow Republican Ben Sasse, who began leading the University of Florida earlier this month. Ricketts will run in a special election next year, alongside Sen. Deb Fischer (R-NE), whose seat was already set to be up. We are not expecting Fischer to have much competition in her primary. Fischer is running for a third term despite previously supporting a two-term limit for senators — but many members who did not abide by their own term limit ideals have been reelected anyway. Ricketts, meanwhile, may have to at least break a sweat in his primary. Businessman Charles Herbster, who was last seen losing the GOP primary for governor last year, is openly considering the race. In the 2022 primary, Ricketts endorsed now-Gov. Jim Pillen over Herbster, who had Donald Trump's support. One of Pillen's first acts in office was to appoint Ricketts to the Senate. Ricketts would be the favorite in a primary, although appointed incumbency is not always the same as elected incumbency, and a challenger could try to capitalize on the circumstances of Rickett's appointment, perhaps by arguing it seemed transactional. Lingering <u>questions</u> over his selection seemed to hurt Luther Strange in his primary. Before Ricketts, Nebraska's most recent appointed senator, the late Republican Dave Karnes, actually drew a serious primary challenger when he ran in his own right, in 1988. He beat then-Rep. Hal Daub (R, NE-2) by 10 points in the primary, but had the bad fortune of running against Bob Kerrey, a Democrat who was then a popular former governor, in the general election (Kerrey won by 15 points). Democrats do not have a Kerrey-type figure waiting in the wings, so Republicans would still be favored in the general election this time.

— While there is no sign he faces a competitive primary, Sen. Rick Scott (R-FL) was just endorsed by the Club for Growth, which often acts as an anti-establishment force in Republican politics. Following an unsuccessful tenure as chairman of the National Republican Senatorial Committee, Scott failed in a challenge to Senate Minority Leader Mitch McConnell (R-KY) for leadership of the caucus. McConnell has criticized Scott for a plan the latter released during last cycle that included a proposal to force Congress to re-approve federal programs, including popular ones like Social Security and Medicare, every 5 years — a proposal that Democrats, including President Biden in last week's State of the Union, have highlighted. Scott was recently kicked off of the Senate Commerce Committee — as this was likely a form of retaliation from leadership, Scott has spun it as evidence of his anti-establishment credentials in his fundraising appeals.

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