

USPI 2009 ASC and Surgical Specialty Hospital Legislative Issues and Position

Physician ownership:

Issue:

Physician ownership leads to over utilization.

USPI position:

USPI supports a physician's right to have an ownership interest in Hospitals and ASCs. We must clearly show efficiencies, patient satisfaction and cost savings to the Federal government and dismantle the over utilization allegation.

Physician owned Hospitals:

Issue:

The May Senate Finance Committee's description of policy options for transforming the health delivery system, includes a provision restricting physician ownership of hospitals to existing hospitals, with no opportunity for those grandfathered facilities to grow. The proposal had an enactment date of July 1, 2009. Additionally, in the June Energy and Commerce Committee overview of Healthcare reform, there is a proposal for a "[b]an on physician owned hospitals."

USPI position:

USPI supports the following compromise language: In order to meet the demands of a community's access to high quality care, allow existing physician-owned hospitals and under development hospitals that will have a certificate of occupancy within 18 months of date of enactment to exist in their current financial structure and to be fully grandfathered (allowed to grow to meet future community need).

Physician-Owned ASCs:

Issue:

The opposition to physician ownership of hospitals could spill over to physician-owned ASCs.

USPI position:

Work with likeminded individuals in the ASC industry to develop proactive lobbying, marketing and communication tools that positively position the ASC industry. ASCs provide cost savings to both the Federal government and the Medicare beneficiary, and should therefore be encouraged as a choice for surgeries not requiring overnight stays.

ASC Reimbursement:

Issue:

The current ASC fee schedule does not fully align reimbursement of ASCs with hospital outpatient departments.

USPI position:

Support the bill filed last week by Congressmen Meek (D-FL) and Herger (R-CA), H.R. 2049: The Ambulatory Surgical Center Access Act of 2009, which permanently aligns ASCs fees at the current 59% of HOPD, supports quality reporting for all outpatient facilities and rescinds the CMS requirement to not allow same-day surgeries based on CMS patient rights rules.