



## COLLEGE of AMERICAN PATHOLOGISTS

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March 19, 2020

Seema Verma, MPH  
Administrator  
Centers for Medicare & Medicaid Services  
U.S. Department of Health and Human Services  
CMS-1715-P  
Mail Stop C4-26-05  
7500 Security Boulevard  
Baltimore, MD 21244-1850

*RE: Regulatory Relief for Pathologists Amid COVID-19*

Dear Administrator Verma:

The College of American Pathologists (CAP) would like to request regulatory relief for pathologists amid the ongoing and unprecedented COVID-19 pandemic. As the world's largest organization of board-certified pathologists and leading provider of laboratory accreditation and proficiency testing programs, the CAP serves patients, pathologists, and the public by fostering and advocating excellence in the practice of pathology and laboratory medicine worldwide.

Pathologists and their practices are at the front lines of this pandemic and would appreciate regulatory relief from the Centers for Medicare & Medicaid Services (CMS) as it relates to the Quality Payment Program. CMS should allow flexibility with existing deadlines and requirements and take steps to ensure clinicians are not inappropriately penalized for the extreme costs of handling the pandemic so that they can continue to focus their energy on patient care.

Specifically, the CAP asks that CMS extend the data submission deadline for MIPS eligible pathologists and pathology practices for the 2019 performance period of the Quality Payment Program from the current deadline of March 31, 2020. An extension of the MIPS data submission deadline would ensure that pathologists and their practices are able to focus their limited resources on providing care for their patients amid the COVID-19 pandemic.

Additionally, the CAP asks that CMS delay the need for measure testing of Qualified Clinical Data Registry (QCDR) measures. Currently CMS requires that to be approved for the performance year 2021, all QCDR measures must be fully developed with completed results at the clinician level. Much of the measure testing requires data and significant resources from pathology practices to determine whether the measures are feasible, reliable, and valid. Again, many pathology practices have to prioritize their resources to contend with COVID-19. As such, the CAP may experience difficulty in recruiting practices for measure testing of its QCDR measures by the deadline to submit 2021 QCDR measures to CMS.



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The cost to the healthcare system to deal with a pandemic like COVID-19 is unprecedented, and therefore unknown. Clinicians in value-based arrangements face even higher levels of financial risk as a direct result of COVID-19. Therefore, considering pathologists and pathology practices are focusing their resources in combating COVID-19, the CAP asks CMS to provide regulatory relief by delaying MIPS data submission and measure testing of QCDR measures.

The College of American Pathologists appreciates your consideration of these comments. Please direct questions to Stephanie Peditto at [speditto@cap.org](mailto:speditto@cap.org).

Sincerely,

Jonathan L Myles, MD, FCAP  
College of American Pathologists  
Board of Governors  
Chair, Council on Government and Professional Affairs