# Why Mitigating Risk of Cuts on Capitol Hill is so Important This Year

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**Charles Fiegl:**

Hello and welcome to a new episode of the CAP's Advocacy Update podcast where we discuss the latest healthcare, legislative, and regulatory updates concerning pathologists. I am Charles Fiegl from the CAP's Advocacy Communications team. For today's episode, we will discuss the issues pathologists will talk about during their meetings with members of Congress or their legislative staff at our annual Capitol Hill Day in Washington D.C.

We will review the first topic, which we often refer to as the Hill Day Ask. Our Hill Day takes place at the end of the Pathologist Leadership Summit on Tuesday, April 18th. Registration for the Pathologist Leadership Summit is free to CAP members for both in-person and virtual options. However, to participate in our Hill Day this year, you need to be there in person in Washington.

Joining me on the podcast are two of the CAP's lobbyists, Michael Guiliani and Darren Fenwick. Michael is the CAP's Senior Director for Legislative and Political Action. Darren works with Michael as Director of Legislation and Political Action at the federal level. Thank you both for joining me.

**Michael Guiliani:**

Thank you, Charles.

**Darren Fenwick:**

Thank you, Charles.

**Charles Fiegl:**

First question I have is, what is the CAP's Hill Day Ask and why is it important for CAP members to participate in Hill Day?

**Darren Fenwick:**

So I'll pop in here. So Darren Fenwick. As Charles mentioned, I am one of the lobbyists on the federal team and many people will probably be familiar with this ask as this is a problem that the CAP has been actively engaged on at the federal level and with our members on mitigating the impact of the Medicare payment cuts to pathology. So the ask will be, "Hey Congress, we need your help to mitigate the impact of these cuts for 2024, because absent congressional action, the cuts could be as high as 6.5%."

And it's really important for pathologists to be engaged in this and to be on the Hill talking about these issues because you'll be the only folks up there talking about these issues from pathology's perspective to your members of Congress. So the physician community, there's a huge coalition and a lot of other organizations will be engaged, but we'll be the only pathologist up there talking about these issues. And so it's really important knowing that you all are on the front lines of testing and of the COVID pandemic and of other pandemics. It's really important for them to hear the impact that these cuts will have on the work that you do since it's foundational to our system of care.

**Charles Fiegl:**

All right. Great. Thank you, Darren. What can a pathologist expect then when they meet with the office of their representative or senators?

**Michael Guiliani:**

Sure, I'll be happy to answer that. You really have to understand that you're a member of Congress and the staff want to hear from you. You're the expert in your field. You know things that they don't. You provide them with perspective that they can't get otherwise. And when you go in, they want to hear what your concerns are. They want to understand what's happening to you as a constituent and the constituents you serve as a physician. So whether you end up meeting with the member of Congress, which we always try and do or you meet with one of their staff, the goal is to explain to them what you do and how you do it and how it impacts healthcare and why you need their help. And I think one of the key things that you have to understand is if you're meeting with staff, the responsibility of that staff is to inform the member of what the concerns are and provide a perspective on it. So whoever you're meeting with is going to be key to helping you and helping you build a relationship with that office.

**Charles Fiegl:**

Thanks, Michael. So Darren, I know you mentioned earlier what the ask, the specific ask is going to be, but what will CAP members actually ask their elected officials to do about it?

**Darren Fenwick:**

Yeah. So as I mentioned before, the legislative ask will be to address the upcoming Medicare cuts with legislative action. So specifically absent congressional action, if Congress decides we're not going to do anything, then pathologists will see a cut in their payments as high as 6.5%. And so we need you all. We need pathologists to go in there and say, "We need Congress to stop these cuts." I think it's important to understand the environment in which these cuts are happening. I mean, you think inflation, you think that the conversion factor has remained the same, has in short gone down actually. So the value of the reimbursement that pathologists have been receiving has actually not kept up, one, with inflation because there's no inflation error date and has gone down. So when you combine all of these economic factors and dislocations, it's really a pretty big hit. And so we need pathologists to be in the room to say, "This is unsustainable and we need your help."

**Michael Guiliani:**

Just to add what Darren had said is we're also looking at some legislation that's currently being considered for introduction on the workforce issue as well. So there may be an additional ask, we're working on that right now, to address some workforce issues with regards to pathology.

**Charles Fiegl:**

So Darren, zeroing in again on these Medicare cuts next year in 2024 could potentially if a pathologist goes up to the Hill and says they want Congress to do something about it, they might hear, "Hey, we've already addressed this cut for 2024."

**Darren Fenwick:**

Yeah. And that's very possible. As I mentioned earlier, this is something that the CAP and members, everybody collectively the organization has been working on since 2020. Actually since 2019. And we've seen relief each year. So 2021, 2022, 2023, now 2024. But relief provided by Congress has gone down each time. So we started, for example, at 3.75% and now we're down to 1.25%. But again, as I mentioned earlier, noting about inflation, noting about the conversion factor actually going down. So these cuts continue to still have an impact and the amount continues to go up.

So in other words, even though there's this positive adjustment, this 1.25% increase for 2024, we're still looking at additional cuts. And I should note that I think when we're going into Congress and we're going into these congressional offices, we're saying we recognize there's a problem. We recognize that there needs to be some kind of a broader reform, and those conversations are underway and a whole bunch of groups are involved in that. But until that happens, we need relief. And so given the bump for 2024, I think you can acknowledge, thank you for what you all have done, but we're still going to take a big hit and we need additional relief and we need the relief to be able to provide the services that we do to the patients that we serve because that's the bottom line is ensuring quality or access to quality care for our patients.

**Charles Fiegl:**

All right, great. Thank you, Darren. So last question I have is, what if I am a pathologist who is interested in registering for the Pathologist Leadership Summit and going up on the Hill but I don't think that my voice will actually make a difference?

**Michael Guiliani:**

Well, I would say it does, and here's why. A quick story. I mean, having worked up on the Hill, when somebody comes in and talks to us about a concern they have, we respond or we responded to constituent inquiries and constituent requests. It's important that you hear from the people back in the district so you understand what's going on and what people care about. If you're not hearing from your constituents on an issue, the importance of that issue drops down to the bottom of your pile because you've got way too much to work on. You've got way too many issues to deal with at any given time. So your voice matters considerably, particularly as a constituent, a physician and a voter. And it's important that pathology be there because nobody else is going to speak for you. You're going to have other medical societies up there asking for things, other industries up there asking for things.

If you're not present, as we say, you're either at the table or on the menu and we want to make sure we're at the table advocating for pathology and making sure our voices are heard. You should understand that we will train you thoroughly on the issues. We'll offer support. Nobody goes to a meeting alone if they're a first time attendee. You'll be with somebody else or with one of the lobbyists. So we try and make this process smooth and easy and we try and make it a wonderful experience. Being back in person is fantastic. When people do this for the first time in person, they come back, they're smiling, and they can't believe the experience and how much they enjoyed it. So I hope you will decide to join us and participate and not consider your voice unimportant because it's key to our success.

**Charles Fiegl:**

Great. Thank you. This concludes our Advocacy Update podcast. For more information and to register for the 2023 Pathologist Leadership Summit, April 15th through 18th, go to www.pathologistleadershipsummit.org. You can also find links to register at cap.org.