



Charles N. Kahn III
President & CEO

December 30, 2017

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
200 Independence Avenue, SW, Room 445-G
Washington, DC 20201

SUBJECT: CMS-5522-FC and IFC, Medicare Program; CY 2018 Updates to the Quality Payment Program; and Quality Payment Program: Extreme and Uncontrollable Circumstances Policy for the Transition Year, November 2, 2017.

Dear Administrator Verma:

The Federation of American Hospitals (FAH) appreciates the opportunity to comment to the Centers for Medicare & Medicaid Services (CMS) on the above interim final rule with comment period, published in the *Federal Register* on November 16, 2017 (82 FR 53568). The FAH is the national representative of more than 1,000 investor-owned or managed community hospitals and health systems throughout the United States. Our members are diverse, including teaching and non-teaching, short-stay, rehabilitation, long-term acute care, psychiatric, and cancer hospitals in urban and rural America, and they provide a wide range of acute, post-acute and ambulatory services. Our members are united, however, by their shared commitment to partnering with their medical staffs to ensure that all patients, including Medicare beneficiaries, have timely access to appropriate medical care in their communities.

The interim final rule details the Extreme and Uncontrollable Circumstances policy for the 2017 performance period (i.e., transition year) of the Merit-Based Incentive Payment System (MIPS). Under the rule, this policy applies to three MIPS performance categories: Quality, Advancing Care Information (ACI), and Improvement Activities; the Cost category is not part of the policy because it has a zero percent weight in 2017. Clinicians eligible for the policy will

automatically receive a neutral MIPS payment adjustment, but have the option to submit data for and be scored on any of the performance categories.

The FAH supports application of this more robust Extreme and Uncontrollable Circumstances policy for the 2017 performance period and greatly appreciates CMS's flexibility for MIPS-eligible clinicians affected by this year's hurricanes and any other disasters. Specifically, the FAH supports automatically applying the policy to clinicians in affected areas, as this relieves clinicians of the burden of submitting a formal application. Additionally, the FAH supports CMS's policy to provide a neutral payment adjustment for affected clinicians, while allowing clinicians who are able to submit data to do so and be scored on that data.

The FAH appreciates the opportunity to comment on the interim final rule with comment period. We look forward to continued partnership with the CMS as we strive for a continuously improving health care system. If you have any questions regarding our comments, please do not hesitate to contact me or a member of my staff at (202) 624-1500.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Rumsfeld". The signature is fluid and cursive, with a large, sweeping flourish at the end.