



AMERICAN ASSOCIATION OF  
ORTHOPAEDIC SURGEONS

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September 11, 2009

The Honorable Harry Reid  
Senate Majority Leader  
522 Hart Senate Office Building  
Washington, DC 20515-0508

Dear Senator Reid:

The undersigned organizations, representing the orthopaedic community and the specialty care delivered by our members, are writing to provide input as you return from Congressional recess and reconsider health care legislation and chart your strategy.

In August, President Barack Obama made a statement that we believe mischaracterized the value of surgery and blurred the realities of physician reimbursements.

*Right now if we paid a family -- if a family care physician works with his or her patient to help them lose weight, modify diet, monitors whether they're taking their medications in a timely fashion, they might get reimbursed a pittance. But if that same diabetic ends up getting their foot amputated, that's \$30,000, \$40,000, \$50,000 -- immediately the surgeon is reimbursed. Well, why not make sure that we're also reimbursing the care that prevents the amputation, right? That will save us money.*

Clearly surgeons are reimbursed neither by Medicare, nor any provider for that matter, for foot amputations at rates anywhere close to \$50,000, \$40,000 or even \$30,000. Medicare reimbursements to physicians for foot amputations range from approximately \$700 to \$1200 which includes the surgical fee and all follow up care the surgeon provides to the patient for 90 days after the operation. That issue aside, however, the President's remarks would suggest that surgeons have a



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minimal role outside the surgical procedure. In fact, orthopaedic surgeons are actively involved in preventive care and always strive to act in the best interest of their patients. Like all surgeons, the orthopaedic surgeon involved in the care of the diabetic foot treats the patient with diabetic foot wound care, footwear modifications, and other non-operative care. Our approach follows the same careful, thoughtful approach, with the patient's best interest as the primary focus, resulting in the practice of good medicine which might or might not include a surgical intervention.

We urge you to acknowledge that health care delivery can only be improved by recognizing that health care is a system in which orthopaedic surgeons play a crucial role. With \$849 billion of our national economy impacted by musculoskeletal conditions, orthopaedic surgeons provide care that improves lives, improves function, and puts people back to work. Orthopaedic surgeons specializing in pediatrics provide life-altering care to our nation's children, and they play an invaluable role in ensuring Medicaid patients have access to needed services. Military and civilian orthopaedic surgeons provide care to our service women and men which preserves limbs and has improved survival rates over past conflicts. Orthopaedic trauma surgeons perform limb- and life-saving procedures and help to ensure that our communities have the medical services that we all deserve. Total hip and knee replacement surgeries are two of the most successful operations in medicine through a predictable reduction in pain, restoration of function, and return of patients to both work and activities of daily living. And we are working every day to ensure that medicine provides Americans with disabilities the quality of life to which they are entitled.

As you enter the Fall legislative session and continue your work on health care reform, we urge you to address the marginalization of surgical care that has been pervasive throughout the health care reform debate and recognize the preventive and prophylactic care that surgeons provide and the value that surgeons offer in today's health care system. To do otherwise would be detrimental to patient care and create a system with perverse incentives that could marginalize the very profession that has brought medicine many of its most promising and efficient treatments.

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In order to protect patient access to specialty services, we urge you to:

- **Ensure** that patients have the freedom to choose their doctor, direct access to specialty physicians, and the right to enter into private contracts with their physicians should they choose to do so.
- **Increase** Medicaid beneficiary access to care by securing provisions that would require Medicaid reimbursements to be at least at Medicare levels for all Medicaid services and not just primary care.
- **Support** the elimination of pre-existing medical condition clauses and lifetime caps and **guarantee** renewability of coverage.
- **Oppose** the formation of an Independent Medicare Advisory Council IMAC or a similar entity that would divert Congressional authority to make crucial health care decisions about the future of Medicare to an unelected body with the sole responsibility of reducing cost with no authority to react to the increasing elderly patient demand and rising practice costs.
- **Prevent** changes to the current law that would further restrict the ability of physicians to bring their patients innovations and necessary medical services by, for example, eliminating advanced imaging from orthopaedic offices or preventing physicians from investing in hospitals in their communities.
- **Recognize** medical liability reform as a crucial aspect of overall health system reform and **include** provisions that will decrease costs by reducing the necessity to engage in defensive medicine to protect against frivolous and abusive lawsuits.
- **Pass** a permanent fix to Medicare's flawed Sustainable Growth Rate (SGR) formula and **stop** further cuts in payments to physicians which will threaten access to quality care.

Our organizations are committed to improving the American health care delivery system and increasing health care coverage so that patients can access the care that they deserve. The most expedient way to accomplish your goal is to ensure that your debate and policies are based in fact and reflect the value of the services that all physicians, including orthopaedic surgeons, provide.

Sincerely,

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American Association of  
Orthopaedic Surgeons

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Hand Surgery

William J. Robb, III, MD  
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