

January 28, 2010

Majority Leader Harry Reid
United States Senate
S-221, the Capitol
Washington, DC 20510

Minority Leader Mitch McConnell
United States Senate
S-231, the Capitol
Washington, DC 20510

Chairman Max Baucus
Senate Finance Committee
511 Hart Senate Office Bldg.
Washington, DC 20510

Ranking Member Charles Grassley
Senate Finance Committee
135 Hart Senate Office Bldg
Washington, DC 20510

Chairman Tom Harkin
Senate HELP Committee
731 Hart Senate Office Building
Washington, DC 20510

Ranking Member Michael Enzi
Senate HELP Committee
379A Russell Senate Office Building
Washington, DC 20510

Dear Majority Leader Reid, Minority Leader McConnell, Chairman Baucus, Ranking Member Grassley, Chairman Harkin and Ranking Member Enzi:

The undersigned organizations, representing rural providers, hospitals, physicians and laboratories are writing to urge you to include in the debt limit legislation, the physician fee schedule “fix,” or other urgent legislation a provision to extend for two years a provision of law that expired December 31, 2009, which allowed independent laboratories to bill Medicare directly for the technical component of pathology services provided to hospital patients. Extension of this provision would ensure continued access to quality pathology services by Medicare beneficiaries, particularly those residing in rural areas.

In 1999, CMS tried to eliminate direct payment to independent laboratories for the technical component for pathology services provided to hospital patients and force laboratory pathologists to seek payment from the hospitals without providing the hospitals with the necessary funds to pay for the services. Congress has recognized the importance of these relationships by enacting legislation that permitted hospitals with agreements with independent laboratories in place in 1999 to continue independent laboratory billing of the technical component.

Extending this provision for two years effective January 1, 2010 will insure that hospitals and independent laboratories have the stability they need to maintain quality clinical diagnostic testing vital to seniors, especially in rural areas. We urge your support of its extension.

American Medical Technologists
American Association for Clinical Chemistry
American Clinical Laboratory Association
American Society for Clinical Laboratory Science
American Society for Clinical Pathology
American Society for Microbiology
College of American Pathologists
National Rural Health Care Association