

Congress of the United States
Washington, DC 20515

August 1, 2013

Honorable Marilyn Tavenner
Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244-1850

Dear Administrator Tavenner:

We write to express our concerns about the Centers for Medicare & Medicaid Services (CMS) recently proposed rule on the End-Stage Renal Disease (ESRD) Prospective Payment System.

The new bundled payment system for dialysis has been a remarkable success in payment reform. However, as written, the new proposed rule would have a devastating impact on Medicare beneficiaries who desperately depend on dialysis treatments just to stay alive.

The proposed cut in payments in the pending rule constitute a 12% or a \$30 reduction of what would otherwise be \$246 prospective payment for dialysis. A cut of this magnitude to an industry that, according to the Medicare Payment Advisory Commission, has just 3-4% Medicare margins, could result in closure of dialysis facilities and a reversal of many recent gains that have been made in improving quality of care and mortality for dialysis patients.

It is our concern that CMS has not considered its full statutory obligations in developing this proposal; it is critical to take analyze the costs of providing dialysis care. As you are aware, CMS has an obligation to link the payment rate to facility costs or other economic and equitable factors. As you move toward finalizing the rule, we hope that the Agency will consider the full impact of the proposed changes in order to ensure that the final payment amount is not less than the cost of providing care.

Again, the new bundled payment system for dialysis shows the great strides we have made, and can make again. We should not let the next rule negatively impact beneficiaries who rely on these critical services. Thank you for your consideration of our comments.

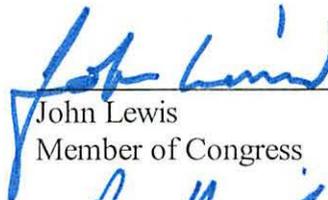
Sincerely,



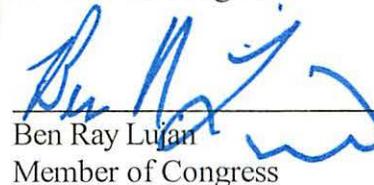
Diane Black
Member of Congress



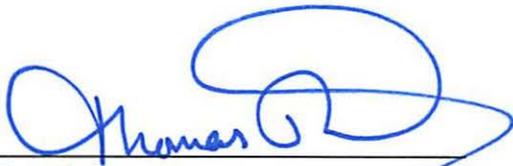
John Shimkus
Member of Congress



John Lewis
Member of Congress



Ben Ray Lujan
Member of Congress



Tom Price
Member of Congress



Donald Payne
Member of Congress



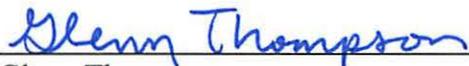
Patrick Tiberi
Member of Congress



James Langevin
Member of Congress



Blake Farenthold
Member of Congress



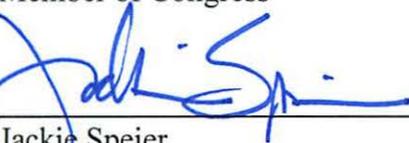
Glenn Thompson
Member of Congress



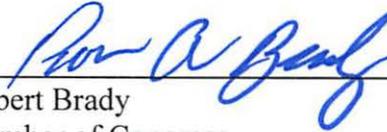
Jim Renacci
Member of Congress



Cathy McMorris Rodgers
Member of Congress



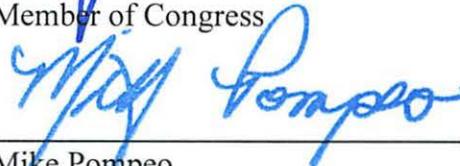
Jackie Speier
Member of Congress



Robert Brady
Member of Congress



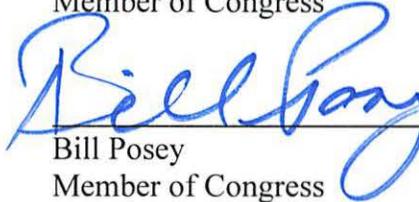
Tammy Duckworth
Member of Congress



Mike Pompeo
Member of Congress



Lou Barletta
Member of Congress



Bill Posey
Member of Congress



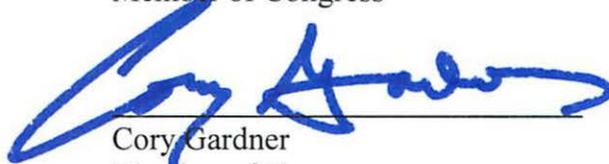
Erik Paulsen
Member of Congress



Leonard Lance
Member of Congress



Frederica Wilson
Member of Congress



Cory Gardner
Member of Congress



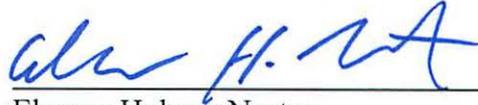
Vern Buchanan
Member of Congress



Corrine Brown
Member of Congress



Mike Rogers
Member of Congress



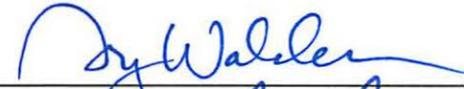
Eleanor Holmes Norton
Member of Congress



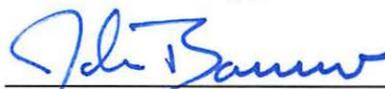
Danny Davis
Member of Congress



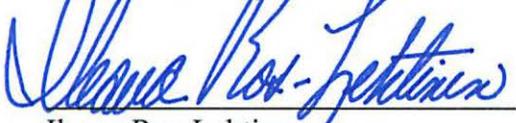
Sheila Jackson Lee
Member of Congress



Greg Walden
Member of Congress



John Barrow
Member of Congress



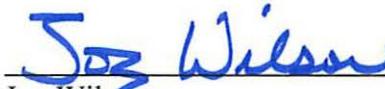
Ileana Ros-Lehtinen
Member of Congress



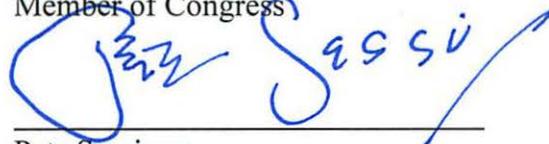
Richard Neal
Member of Congress



Jim Matheson
Member of Congress



Joe Wilson
Member of Congress



Pete Sessions
Member of Congress



Elijah Cummings
Member of Congress



John Tierney
Member of Congress



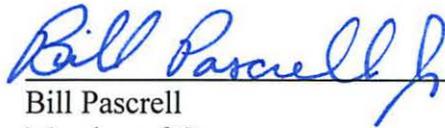
Hank Johnson
Member of Congress



Keith Ellison
Member of Congress



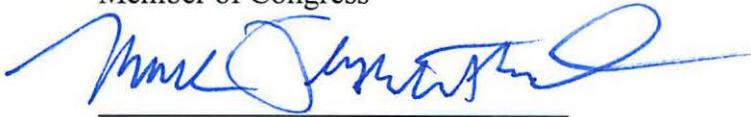
Gwen Moore
Member of Congress



Bill Pascrell
Member of Congress



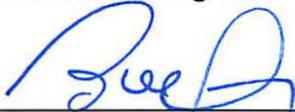
Chris Smith
Member of Congress



Michael Fitzpatrick
Member of Congress



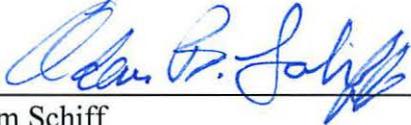
Steve Cohen
Member of Congress



Bill Young
Member of Congress



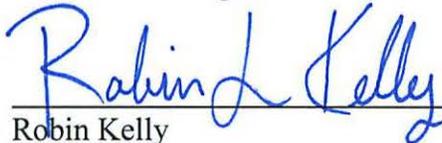
Scott Peters
Member of Congress



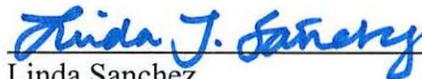
Adam Schiff
Member of Congress



Wm. Lacy Clay
Member of Congress



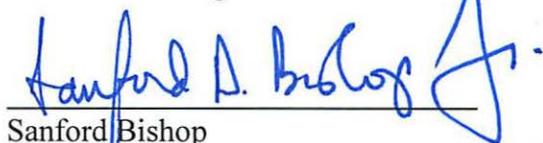
Robin Kelly
Member of Congress



Linda Sanchez
Member of Congress



John Conyers
Member of Congress



Sanford Bishop
Member of Congress



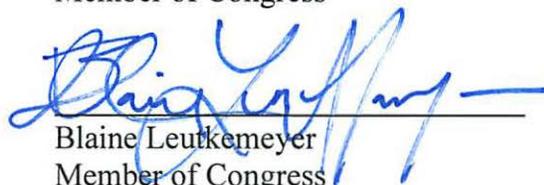
Steve Pearce
Member of Congress



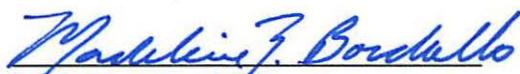
Lynn Westmoreland
Member of Congress



Doris Matsui
Member of Congress



Blaine Leutkemeyer
Member of Congress

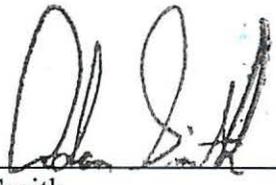


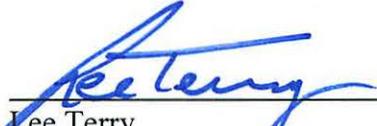
Madeleine Bordallo
Member of Congress

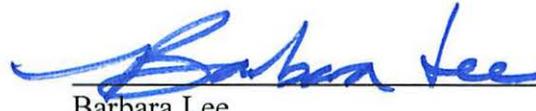


Jim Gerlach
Member of Congress


Bruce Braley
Member of Congress


Adam Smith
Member of Congress


Lee Terry
Member of Congress


Barbara Lee
Member of Congress

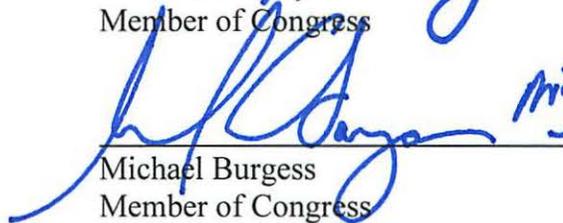

Ken Calvert
Member of Congress

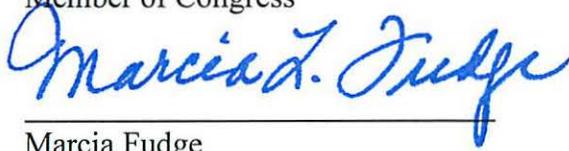

Chaka Fattah
Member of Congress


Don Young
Member of Congress


Mac Thornberry
Member of Congress

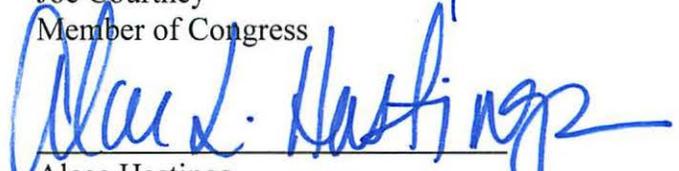

Tim Murphy
Member of Congress

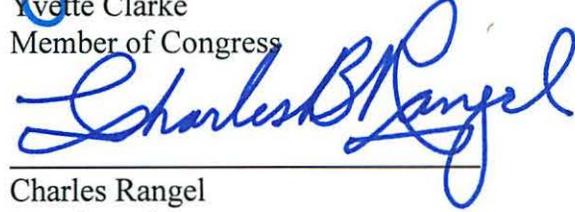

Michael Burgess
Member of Congress

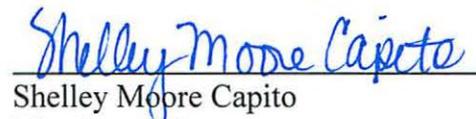

Marcia Fudge
Member of Congress


Joe Courtney
Member of Congress

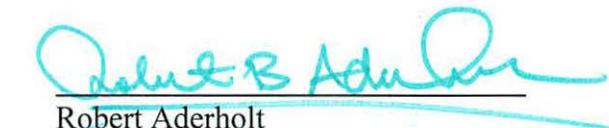

Yvette Clarke
Member of Congress


Alcee Hastings
Member of Congress


Charles Rangel
Member of Congress

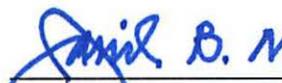

Shelley Moore Capito
Member of Congress


Diana DeGette
Member of Congress


Robert Aderholt
Member of Congress

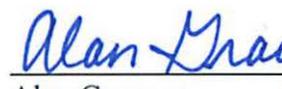

Janice Hahn
Member of Congress


Karen Bass
Member of Congress


David McKinley
Member of Congress

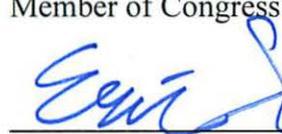

Tom Cotton
Member of Congress


Renee Ellmers
Member of Congress


Alan Grayson
Member of Congress


Filemon Vela
Member of Congress

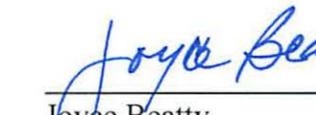

Suzanne Bonamici
Member of Congress


Eric Swalwell
Member of Congress

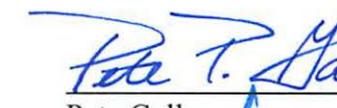

Phil Roe
Member of Congress


Tom Marino
Member of Congress


Scott DesJarlais
Member of Congress


Joyce Beatty
Member of Congress


Martha Roby
Member of Congress

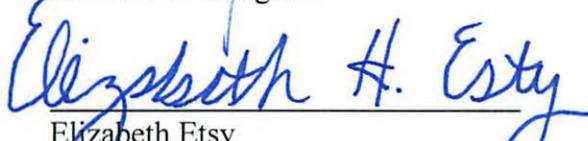

Pete Gallego
Member of Congress


James McGovern
Member of Congress


Phil Gingrey
Member of Congress

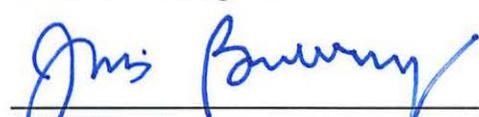

Tulsi Gabbard
Member of Congress


Keith Rothfus
Member of Congress

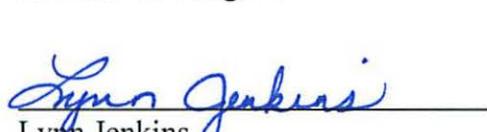

Elizabeth Esty
Member of Congress

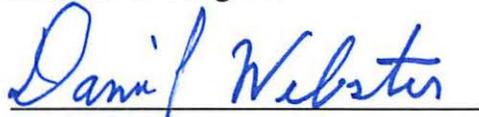

Michael Grimm
Member of Congress


Todd Young
Member of Congress


Julia Brownley
Member of Congress

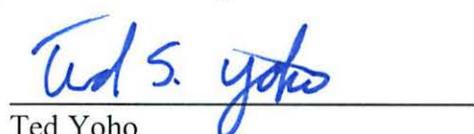

Vicky Hartzler
Member of Congress


Lynn Jenkins
Member of Congress


Daniel Webster
Member of Congress

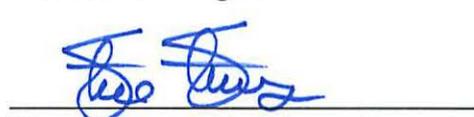

Kenny Marchant
Member of Congress

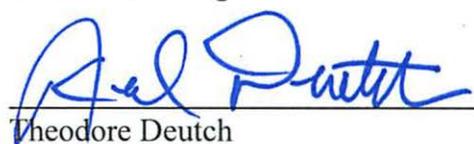

Luke Messer
Member of Congress

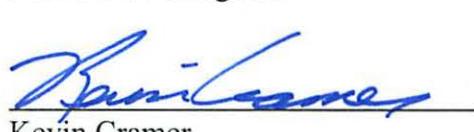

Ted Yoho
Member of Congress

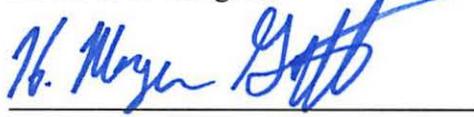

David Valadao
Member of Congress

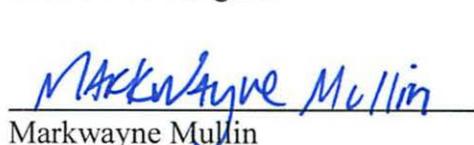

Devin Nunes
Member of Congress


Steve Stivers
Member of Congress


Theodore Deutch
Member of Congress


Kevin Cramer
Member of Congress


Morgan Griffith
Member of Congress


Markwayne Mullin
Member of Congress


Loretta Sanchez
Member of Congress


Stephen Lee Fincher
Member of Congress


Jaime Herrera Beutler
Member of Congress

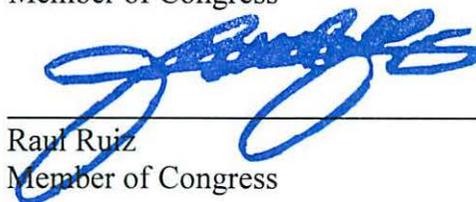

Sean Duffy
Member of Congress

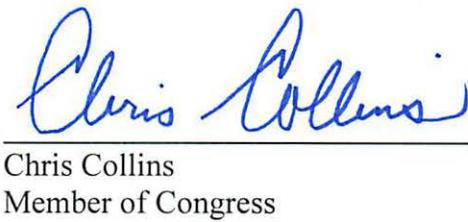

Pedro Pierluisi
Member of Congress


Allyson Schwartz
Member of Congress


Brad Wenstrup
Member of Congress


Grace Meng
Member of Congress


Raul Ruiz
Member of Congress


Chris Collins
Member of Congress


Dave Reichert
Member of Congress


Bill Cassidy
Member of Congress


Jerry McNerney
Member of Congress


Adam Kinzinger
Member of Congress


Tim Griffin
Member of Congress


Jim Costa
Member of Congress


Chellie Pingree
Member of Congress

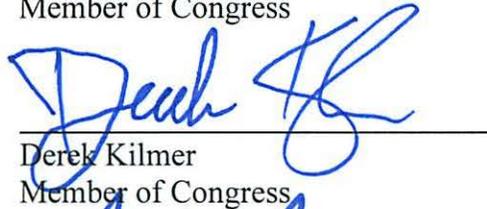

Steven Horsford
Member of Congress

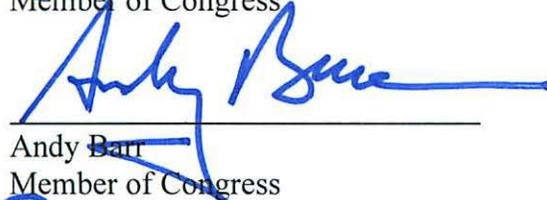

Zoe Lofgren
Member of Congress

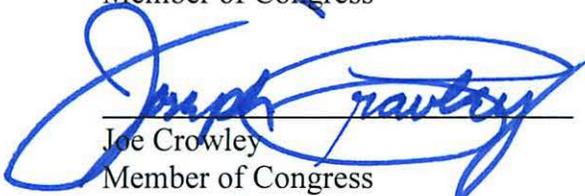

Ami Bera
Member of Congress

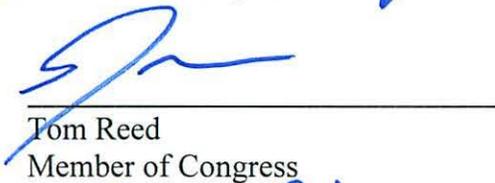

Michael Capuano
Member of Congress

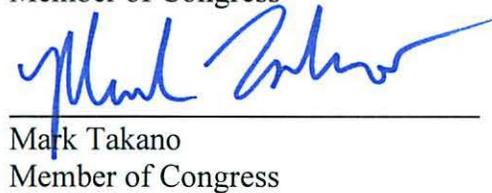

Tim Ryan
Member of Congress


Derek Kilmer
Member of Congress


Andy Barr
Member of Congress


Joe Crowley
Member of Congress

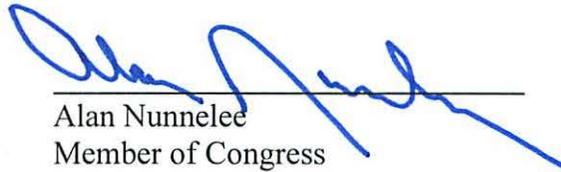

Tom Reed
Member of Congress


Mark Takano
Member of Congress

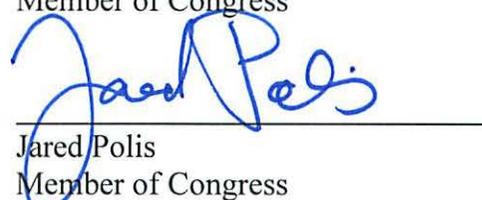

Trey Gowdy
Member of Congress

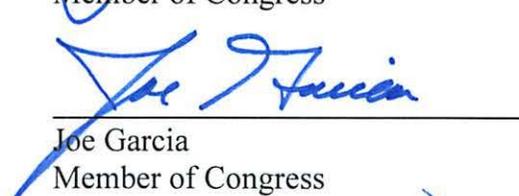

Ed Perlmutter
Member of Congress

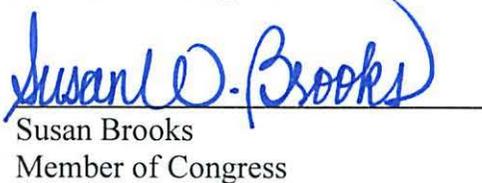

Matt Cartwright
Member of Congress

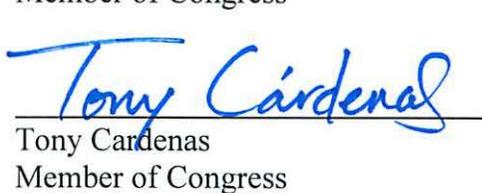

Alan Nunnelee
Member of Congress


Charles Boustany
Member of Congress


Jared Polis
Member of Congress


Joe Garcia
Member of Congress

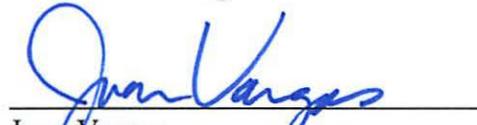

Susan Brooks
Member of Congress


Tony Cardenas
Member of Congress


Donna Christensen
Member of Congress


Judy Chu
Member of Congress


Carol Shea-Porter
Member of Congress


Juan Vargas
Member of Congress

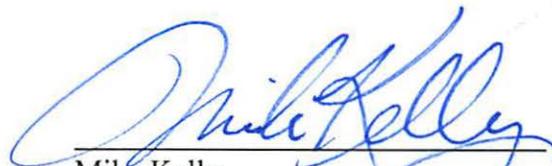

Grace Napolitano
Member of Congress


Chris Van Hollen
Member of Congress

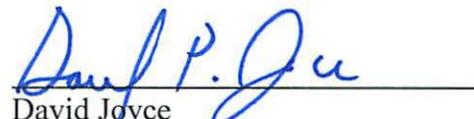

Rick Crawford
Member of Congress


Dan Lipinski
Member of Congress


Jeff Denham
Member of Congress

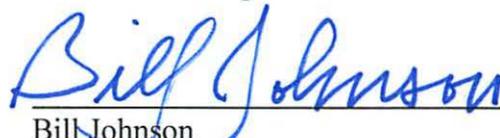

Mike Kelly
Member of Congress


Dave Loebsack
Member of Congress


David Joyce
Member of Congress


Gary Peters
Member of Congress


Gloria Negrete McLeod
Member of Congress


Bill Johnson
Member of Congress


Michael Honda
Member of Congress


Richard Nugent
Member of Congress


Rodney Davis
Member of Congress



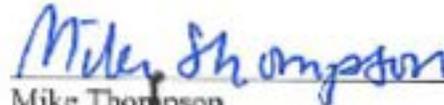
Michelle Lujan Grisham
Member of Congress



Marsha Blackburn
Member of Congress



David Scott
Member of Congress



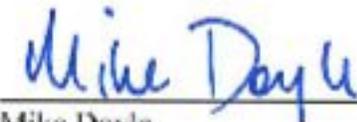
Mike Thompson
Member of Congress



Todd Rokita
Member of Congress



Calleen Hanabusa
Member of Congress



Mike Doyle
Member of Congress



Cedric Richmond
Member of Congress



Tim Bishop
Member of Congress



Brett Guthrie
Member of Congress



Pete Olson
Member of Congress



Rodney Alexander
Member of Congress



Brad Schneider
Member of Congress



Suzan DelBene
Member of Congress



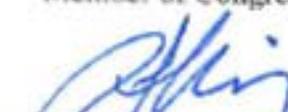
Candice Miller
Member of Congress



Dan Kildee
Member of Congress



Aaron Schock
Member of Congress



Peter King
Member of Congress



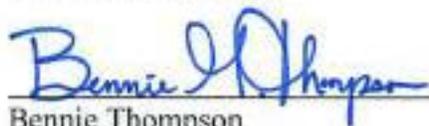
Mike Coffman
Member of Congress



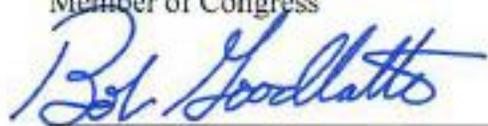
Robert Latta
Member of Congress



Charlie Dent
Member of Congress



Bennie Thompson
Member of Congress



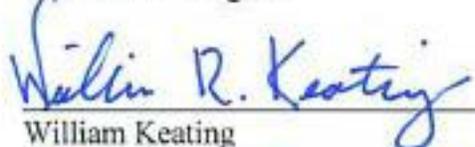
Bob Goodlatte
Member of Congress



Scott Perry
Member of Congress



Scott Tipton
Member of Congress



William Keating
Member of Congress



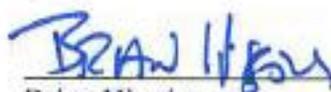
Ted Poe
Member of Congress



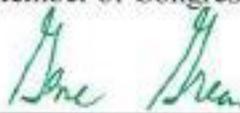
Donna Edwards
Member of Congress



Andre Carson
Member of Congress



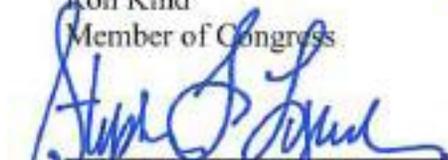
Brian Higgins
Member of Congress



Gene Green
Member of Congress



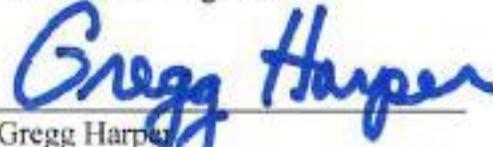
Ron Kind
Member of Congress



Stephen F. Lynch
Member of Congress



Michael T. McCaul
Member of Congress



Gregg Harper
Member of Congress



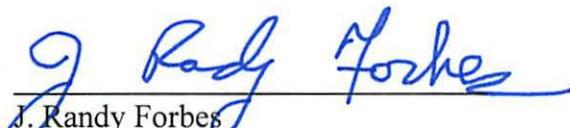
Gus Bilirakis
Member of Congress



John Fleming, M.D.
Member of Congress



Maxine Waters
Member of Congress



J. Randy Forbes
Member of Congress