

## 2010 Current Fiscal Year Report: Practicing Physicians Advisory Council

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### 1. Department or Agency

Department of Health and Human  
Services

### 2. Fiscal Year

2010

### 3. Committee or Subcommittee

Practicing Physicians Advisory  
Council

### 3b. GSA Committee

No.

998

### 4. Is this New During Fiscal Year?

No

### 5. Current Charter

06/16/2009

### 6. Expected Renewal Date

### 7. Expected Term Date

### 8a. Was Terminated During Fiscal Year?

Yes

### 8b. Specific Termination Authority

PPACA

### 8c. Actual Term Date

03/23/2010

### 9. Agency Recommendation for Next Fiscal Year

Terminate

### 10a. Legislation Req to Terminate?

Yes

### 10b. Legislation Pending?

Enacted

### 11. Establishment Authority

Statutory (Congress Created)

### 12. Specific Establishment Authority

42 USC 1395ee; section  
1868(a) of the Act

### 13. Effective Date

11/05/1990

### 14. Committee Type

Continuing

### 14c. Presidential?

No

### 15. Description of Committee

National Policy Issue Advisory  
Board

### 16a. Total Number of Reports

1

### 16b. Report Date

10/01/2009

### Report Title

Quarterly Report to the  
Secretary

### Number of Committee Reports Listed:

1

### 17a. Open

2

### 17b. Closed

0

### 17c. Partially Closed

0

### Other Activities

0

### 17d. Total

2

### Meetings and Dates

Purpose	Start	End
To advise the Secretary, DHHS and the Administrator, CMS, on certain proposed changes in regulations and manual instructions related to physician services.	12/07/2009	12/07/2009
To advise the Secretary DHHS and the Administrator, CMS on certain proposed changes in regulations and manual instructions related to physician services.	03/08/2010	03/08/2010

**Number of Committee Meetings Listed: 2**

	Current FY	Next FY
<b>18a(1). Personnel Pmts to Non-Federal Members</b>	\$0.00	\$0.00
<b>18a(2). Personnel Pmts to Federal Members</b>	\$0.00	\$0.00
<b>18a(3). Personnel Pmts to Federal Staff</b>	\$62,750.00	\$0.00
<b>18a(4). Personnel Pmts to Non-Member Consultants</b>	\$0.00	\$0.00
<b>18b(1). Travel and Per Diem to Non-Federal Members</b>	\$6,170.00	\$0.00
<b>18b(2). Travel and Per Diem to Federal Members</b>	\$0.00	\$0.00
<b>18b(3). Travel and Per Diem to Federal Staff</b>	\$200.00	\$0.00
<b>18b(4). Travel and Per Diem to Non-member Consultants</b>	\$0.00	\$0.00
<b>18c. Other(rents,user charges, graphics, printing, mail, etc.)</b>	\$6,952.00	\$0.00
<b>18d. Total</b>	\$76,072.00	\$0.00
<b>19. Federal Staff Support Years (FTE)</b>	2.00	0.00

**20a. How does the Committee accomplish its purpose?**

The Practicing Physicians Advisory Council (PPAC) advises the Secretary on certain proposed changes in the Medicare regulations and manual instructions relative to physicians' services. The Council has been very instrumental in developing

the Centers for Medicare & Medicaid Services (CMS)(formerly the Health Care Financing Administration) policies pertaining to practicing physicians, as identified by the Secretary according to the authority and charter. A number of topics were presented to the Council during the FY 2010 quarterly meetings including the Physicians Regulatory Issues Team(PRIT) Update; Physician Quality Reporting Initiative (PQRI) and E-prescribing Update,Physician Resource Use Measurement and Reporting Program Update,Quality Improvement Initiative, 10th Scope of Work Update, Fraud and Abuse Update,Medicare Physician Fee Schedule (MPFS) Final Rule, OPPS/ASC Fee Schedule Final Rule, Provider Enrollment and Chain Ownership System (PECOS), Electronic Health Record Update, Recovery Audit Contractors(RAC)Update, and other issues of importance to the medical community. Since all of the physicians on the Council are participating physicians in the program, their expertise and comments on said proposals and instructions are most worthy and informative to the Secretary.

**20b. How does the Committee balance its membership?**

The Council currently consists of 11 members, each of whom has submitted at least 250 claims for physicians' services under Title XVIII in the previous year. (The Council officially accommodates 15 seats. Four vacancies currently exist on the Council as four physicians fulfilled their term agreements in 2009. CMS put forth recommendations of four qualified candidates to fill those vacancies. Final appointment of candidates was pending Secretary approval. However, the Affordable Care Act of 2010 (ACA)repealed the Council as of 3/23/2010.) At

present, 10 members are, as described in Section 1861r(l), doctors of medicine and osteopathy and one is a limited license practitioner. Physicians on the Council also represent an equitable number of rural and urban physicians. Geographic, minority, and female representation on the Council are also important factors with regards to the physicians selected by the Secretary. Currently, three physicians are minority and three are female.

**20c. How frequent and relevant are the Committee Meetings?**

The quarterly meetings of the Council allow CMS/HHS officials to garner timely input from the Council members on proposed regulatory and contractor manual instruction changes which impact Medicare physician practices. It is this review and comment process, which includes CMS provider partners, that makes the continuing operation of the Council important.

**20d. Why can't the advice or information this committee provides be obtained elsewhere?**

Council members are all practicing physicians. Meeting with the Council members and soliciting their recommendations on proposed regulations enables the Secretary and the Department to gain valuable information and insight into the daily operation of physician practices with relation to their participation in the Medicare Program.

**20e. Why is it necessary to close and/or partially closed committee meetings?**

No formal council meetings have been closed to the public.

**21. Remarks**

Designated Federal Official: Kelly Buchanan -  
Division of Provider Relations and Evaluations,

Center for Medicare Management, Centers for Medicare & Medicaid Services (CMS) This committee provides recommendations throughout the year, on a quarterly basis with an annual report following the December meeting. No report will be issued this year since the group was terminated.

NOTE: The Patient Protection and Affordable Care Act mandates the dissolution of the Council. The Secretary, DHHS, signed the decision memo to disband the Council immediately. 18 (2)

FOCUSING CMS RESOURCES ON POTENTIALLY 19 OVERVALUED CODES.—Section 1868(a) of the Social Security Act (42 U.S.C. 1395ee(a)) is repealed.

### **Designated Federal Officer**

Kelly Buchanan Division of Provider Relations and Evaluations, Center for Medicare Management, Centers for Medicare & Medicaid Services (CMS)

<b>Committee Members</b>	<b>Start</b>	<b>End</b>	<b>Occupation</b>	<b>Member Designation</b>
Ahaghotu, Chiledum	12/08/2009	12/01/2013	Urologist/Surgeon	Representative Member
Arradondo, John	03/01/2007	02/28/2011	Family Physician	Representative Member
Gaiimo, Joseph	02/28/2008	02/28/2012	Osteopathy/Pulmonologist	Representative Member
Howard, Pamela	02/28/2008	02/28/2012	Surgeon	Representative Member
Jordan, Roger	03/01/2007	02/28/2011	Optometrist	Representative Member
Kirsch, Janice	02/28/2008	02/28/2012	Internal Medicine	Representative Member
Siff, Jonathan	03/01/2007	02/28/2011	Emergency Physician	Representative Member
Smith, Fredrica	02/28/2008	02/28/2012	Internist/Rheumatologist	Representative Member
Smith, Richard	12/07/2009	12/31/2009	OB/GYN	Representative Member
Snow, Arthur	03/01/2007	02/28/2011	Family Physician	Representative Member
Standaert, Christopher	02/28/2008	02/28/2012	Physical Medicine/Rehabilitation	Representative Member

**Number of Committee Members Listed: 11**

### **Narrative Description**

The Council advises the Secretary and the Administrator of the Centers for Medicare and Medicaid Services (CMS) on certain proposed changes in Medicare regulations and contractor manual instructions related to physician services.

### **What are the most significant program outcomes associated with this committee?**

Checked if  
Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input type="checkbox"/>
Major policy changes	<input checked="" type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input type="checkbox"/>
Increased customer satisfaction	<input type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

### **Outcome Comments**

NA

### **What are the cost savings associated with this committee?**

Checked if Applies

None	<input checked="" type="checkbox"/>
Unable to Determine	<input type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

### **Cost Savings Comments**

It is difficult to apply specific savings as Council recommendations more aptly influence

cost avoidance.

**What is the approximate Number of recommendations produced by this committee for the life of the committee?**

25

**Number of Recommendations Comments**

Of approximately twelve topics presented through March 8, 2010, the Council offered multiple separate and distinct recommendations for each.

**What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?**

48%

**% of Recommendations Fully Implemented Comments**

Approximately 48% of all Council recommendations were either fully accepted or were in full agreement with the direction CMS had already taken in developing regulations or instructions for a particular initiative.

**What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?**

25%

**% of Recommendations Partially Implemented Comments**

Approximately 25% of the Council's recommendations were accepted in part. Full acceptance in some instances was precluded by statutory restrictions and/or Program requirements.

**Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?**

Yes ☒ No ☐ Not Applicable ☐

**Agency Feedback Comments**

CMS prepared responses to each specific recommendation made by the Council. These responses were compiled in a Response Report and submitted to the Council within one meeting cycle. Responses were presented during the following quarterly meeting both orally and in written format.

**What other actions has the agency taken as a result of the committee's advice or recommendation?**

Checked if Applies

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| Reorganized Priorities            | <input type="checkbox"/>            |
| Reallocated resources             | <input type="checkbox"/>            |
| Issued new regulation             | <input checked="" type="checkbox"/> |
| Proposed legislation              | <input type="checkbox"/>            |
| Approved grants or other payments | <input type="checkbox"/>            |
| Other                             | <input type="checkbox"/>            |

**Action Comments**

NA

**Is the Committee engaged in the review of applications for grants?**

No

**Grant Review Comments**

NA

**How is access provided to the information for the Committee's documentation?**

Checked if Applies

- |                           |                                     |
|---------------------------|-------------------------------------|
| Contact DFO               | <input checked="" type="checkbox"/> |
| Online Agency Web Site    | <input checked="" type="checkbox"/> |
| Online Committee Web Site | <input checked="" type="checkbox"/> |
| Online GSA FACA Web Site  | <input checked="" type="checkbox"/> |
| Publications              | <input type="checkbox"/>            |
| Other                     | <input type="checkbox"/>            |

**Access Comments**

N/A