

RICHARD G. LUGAR
INDIANA

306 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
202-224-4814
<http://lugar.senate.gov>

COMMITTEES:
FOREIGN RELATIONS, RANKING MEMBER
AGRICULTURE, NUTRITION, AND FORESTRY

United States Senate

WASHINGTON, DC 20510-1401

September 30, 2009

The Honorable Kathleen Sebelius, Secretary
United States Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

I am writing to you regarding a proposed ruling by the Centers for Medicare and Medicaid Services (CMS) which would affect Medicare reimbursement for radiation therapy services.

I have attached for your review a letter from Urology of Indiana which expresses concerns about this proposed ruling and its impact on Indiana. I appreciate your attention to these concerns.

Should your staff have additional questions, I would encourage them to contact Liz Bartlett in my office at (202) 224-7441.

Sincerely,



Richard G. Lugar
United States Senator

RGL/lbl
Enclosure



Urology of Indiana

www.urologyin.com

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September 24, 2009

Robert A. Butler, M.D.
 Teresa D. Beam, M.D.
 Richard M. Bennett III, M.D.
 Glen A. Brunk, M.D.
 Joseph C. Butterworth, M.D.
 Kathryn A. Copeland, M.D.
 Theodore F. Holland III, M.D.
 David W. Hollensbe, M.D.
 Michael G. Hostetter, M.D.
 W. Terry Jones, M.D.
 Peter M. Knapp, Jr., M.D.
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 Andrew E. Moore, M.D.
 Neale A. Mooney, M.D.
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 John K. Schlueter, M.D.
 John W. Scott, M.D.
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 Jason K. Sprunger, M.D.
 David B. Stuhldreher, M.D.
 Ronald S. Suh, M.D.
 Samuel T. Thompson, M.D.
 Jeffery D. Vaught, M.D.
 Gregory R. Wahle, M.D.

The Honorable Richard Lugar
 306 Hart Senate Office Building
 2nd and C Streets, N.E.
 Washington, DC 20510

Via Facsimile: (202) 228-0360

Dear Senator Lugar:

I am writing to bring to your attention a serious threat to the delivery of high quality, accessible care to patients with cancer throughout the country and to seek your assistance and leadership in helping us address this issue.

Specifically, the delivery of radiation therapy in community-based medical practices, a proven method for successfully treating prostate cancer and other forms of cancer, is being threatened by a proposal from the Centers for Medicare & Medicaid Services (CMS). The proposal would dramatically cut payments for such cancer care services in the Medicare Physician Fee Schedule for Calendar Year 2010. The most significant cut of over 45 percent is the result of a CMS assumption that is inapplicable to radiation therapy and that MedPAC did not intend to be applied to radiation therapy equipment.

Annually, prostate cancer is the second leading cause of cancer death in men in this country, and according to the American Cancer Society, there will be more than 3250 newly diagnosed prostate cancer patients in Indiana during 2009. Urology of Indiana is a multi-specialty physician group of 30 physicians operating in Indiana and each year we treat over 1,000 patients with prostate cancer. We feel it is important to be able to provide all proven treatment options to our patients in Central Indiana.

Our goal is simple. We want to continue providing the highest quality cancer care to patients throughout the state. CMS's proposal to cut reimbursement for radiation therapy services by over 45 percent would seriously jeopardize our ability to provide such care.

We ask you to sign on to a Congressional letter to HHS Secretary Sebelius urging CMS not to finalize the proposed changes in the physician fee schedule as applied to radiation therapy. Because this proposal is in final stages of implementation, we appreciate your utmost attention on this issue.

Sincerely,

Peter M. Knapp, Jr., M.D.
 President, Urology of Indiana

Office Locations:

Indianapolis (4)
 Anderson
 Avon
 Carmel
 Connorsville
 Crawfordsville
 Danville
 Franklin
 Greenfield
 Greenwood
 Lebanon
 Mooresville
 Noblesville
 Shelbyville
 Tipton

Mailing Address:

Administration
 P.O. Box 17100
 Indianapolis, IN 46217-0100
 (317) 885-1250
 (317) 859-4269 Fax

Central Scheduling

(317) 890-2000
 (877) 362-2778 Toll Free

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