



EM Action Fund Update

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EMAF Overview

- Established 2011
- Coordinate federal regulatory, advocacy, and legal strategies across EM and industry
- Different than NEMPAC or ACEP – no political contributions or direct legislative work
- Pooled funding for large-scale impact

What EMAF Addresses

- Critical federal regulatory issues (esp. ACA)
- State level issues
- Litigation at federal level
- Expert policy analysis
- Public affairs/advocacy strategies

EMAF Board Members

- AACEM (Dr. Peter Sokolove)
- ACEP (Dr. Friedman – ACEP President)
- ACOEP (Dr. Robert Suter)
- Brault (Dr. Andrea Brault)
- EDPMA (Ms. Iva Clement)
- EMRA (Dr. Angela Cai)
- ENVISION (Dr. Rebecca Parker)
- Federal Government Affairs Committee (Dr. Heine – Chair)
- TeamHealth (Mr. Aron Goldfeld – EMAF Chair)
- USACS (Dr. Orlee Panitch)
- Vituity (Dr. Thomas Sugarman)

Staff and Contractors

- Lupe Gonzalez (Director of DC operations)
- Laura Wooster (PR and policy analysis)
- Jeff David (Director of Regulatory Affairs)
- Hired Contractors:
 - Holland and Knight – regulatory work
 - America Action Forum – developed EM billing primer, PLP standard for PR efforts
 - Avalere – data analysis for balance billing laws

EMAF 2017-18 Support Highlights

Protecting the Prudent Layperson Standard

- Legal analysis of potential litigation options at federal and state level on Anthem issue
- Sharing data on Anthem denials that supported advocacy and PR efforts (including that which led to NY Times running a story on it)
- Funded public affairs campaign and economics research of the industry currently underway

EMAF 2017-18 Support Highlights

Emergency Medicine Reimbursement

- Funded member surveys to support RUC review of EM codes
 - Will also help EM response to the Medicare Proposed Rule for the 2020 Physician Fee Schedule
- Funded “Greatest of Three” litigation of CCIIO
 - Court noted CMS had “all but ignored” concerns raised by stakeholders
- Funded consultant to support APM Task Force
 - Developed first EM-specific APM, the “Acute Unscheduled Care Model”
 - Used Medicare claims data to test the model
 - PTAC recommended to HHS Secretary to implement as an Advanced APM
- Funded analysis of out-of-network claims data from three states to support balance billing advocacy efforts at the state level

EMAF 2017-18 Support Highlights

Regulatory Reinforcement

- Hart Health (and now Holland & Knight) monitors federal regulations
- Meet monthly with high-level CMS officials on EM-specific issues
- Can identify and address concerns more rapidly
- Monitoring of evolving Medicaid waiver landscape

Research

- Funded study of Maryland's Global Budget Revenue payment reform model impact on ED admissions
- Supporting research to determine impact of state balance billing bans

2018-19 EMAF Supported Activities

- Avalere study on impact of balance billing bans across states (in progress)
- Support litigation against Anthem in Georgia with Medical Association of Georgia on Prudent Layperson-violating policy Anthem instituted in six states (in progress)
- Elevating the profile and demonstrating the value of emergency care
- Acute care value and quality development
- Fair coverage/payment/Out-of-Network emergency care
- Policy-related consulting services

Questions?

