JAMES COMER
1ST DISTRICT, KENTUCKY

CHAIRMAN
COMMITTEE ON OVERSIGHT & GOVERNMENT REFORM

COMMITTEE ON EDUCATION & WORKFORCE

2410 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3115

Congress of the United States
House of Representatives
Washington, DC 20515–1701

DISTRICT OFFICES:
200 NORTH MAIN STREET
SUITE F
TOMPKINSVILLE, KY 42167

300 SOUTH 3RD STREET
PADUCAH, KY 42003

141 NORTH 3RD STREET
SUITE 5
DANVILLE, KY 40422

67 NORTH MAIN STREET
MADISONVILLE, KY 42431

COMER.HOUSE.GOV

September 5, 2025

The Honorable Robert F. Kennedy, Jr.
Secretary of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

The Honorable Dr. Mehmet Oz
Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
7500 Security Boulevard
Baltimore, MD 21244

The Honorable Russell Vought
Director, Office of Management and Budget
725 17th Street, NW
Washington, D.C. 20503

Secretary Kennedy, Administrator Dr. Oz, and Director Vought:

I am writing regarding the Calendar Year 2026 Medicare Physician Fee Schedule (MPFS) proposed rule. I am concerned the proposed changes threaten the viability of independent physician practices, risk further consolidating healthcare delivery, and may limit patient access to high-quality care while pushing patients toward higher-cost settings. I have heard from my constituents who are independent physicians that the following adjustments would make significant progress toward addressing these issues before the rule is finalized later this year.

As you know, the proposed fee schedule includes a 2.5 percent reduction in work Relative Value Units (RVUs) for non-time-based services, citing improvements in practice efficiency. Although as Chairman of the Committee on Oversight and Government Reform, I certainly support efforts to promote efficiency, I am concerned this language would penalize physicians for complying with administrative burdens that have been placed on them from all levels of government and payers.

Despite technological advances such as EMRs and artificial intelligence, independent physicians face complex prior authorizations, evolving Medicare coverage policies, and audits of increasing frequency. When combined with cumulative payment reductions of 33 percent since 2001, ongoing sequestration cuts of 2 percent annually, and looming 4 percent PAYGO cuts through 2031 based on Congressional Budget Office projections, it is increasingly difficult for independent physicians to recruit and retain staff and maintain their operations.

I am also concerned with the changes to the allocation of indirect practice expenses in facility-

based settings, which would reduce reimbursement by 7 percent to 10 percent for independent physicians, particularly specialists in interventional pain, ophthalmology, gastroenterology, and orthopedic surgery. As currently written, the rule could significantly reduce payments for services performed in Ambulatory Surgery Centers (ASCs), most of which are owned and operated by independent physicians and often function as extensions of physicians' offices. Unlike hospital-employed physicians, independent practitioners bear the full cost burden regardless of the site of service.

Given these circumstances, I urge CMS to develop a separate reimbursement formula for independent physicians, potentially through a modifier to distinguish hospital-affiliated from independent practices.

Additionally, I strongly support the inclusion of telehealth flexibilities, which are critical for patients in rural and underserved areas and have proven to work for our elderly and vulnerable populations as a complement to their in-person visits with their physicians. I encourage you to clarify in the final rule that these flexibilities will be made permanent to provide stability for patients and providers.

I appreciate your consideration of the concerns of independent physicians throughout the 1st District of Kentucky. I look forward to continuing working with you to preserve patient access to independent community physicians. Please contact my Legislative Director, Sarah Coffman (sarah.coffman@mail.house.gov), if I may be of additional support throughout this process.

Sincerely,



James Comer
Member of Congress