



March 11, 2019

Scott Serota, CEO
Blue Cross Blue Shield Association
225 North Michigan Avenue
Chicago, IL 60601

Dear Mr. Serota,

On behalf of American College of Physicians (ACP), I am writing to request that your members remove “termination without cause” language from all Blue Cross Blue Shield Association (BCBSA) physician contracts. ACP is the largest medical specialty organization and the second largest physician group in the United States. ACP members include 154,000 internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness.

Termination without cause policy allows physicians to be removed from a managed care network for reasons not related to misconduct. Unwarranted termination may occur for any reason including issues with reimbursement, a utilization review decision, or board certification status. When terminated, physicians are removed from insurers’ approved lists of providers, often with only 30 days of advanced notice. In one notorious example, UnitedHealthcare cut thousands of physicians from its Medicare Advantage plans without giving physicians an explanation or proper recourse to appeal (i,ii). Network changes not only negatively impact physicians’ businesses and ability to provide care to patients, they also disrupt the physician-patient relationship. The Government Accountability Office has expressed concern that the federal government is not properly scrutinizing Medicare Advantage plan efforts to maintain sufficient provider availability or inform patients of their rights to receive continuous care at in-network rates if their provider is removed from a plan’s network (iii). The result is discontinuous, fragmented care that reduces the overall quality of health care the patient is receiving. Without cause terminations are particularly concerning with the proliferation of narrow provider networks and inaccurate provider directories.

Removal of termination-without-cause language will increase health plan transparency and help ensure that criteria used to determine provider networks is fair for physicians and their patients. To protect beneficiaries from interrupted and unsteady care we urge BCBSA to call on its members to cease baseless provider network terminations.

We appreciate your consideration of removing this policy from physician contracts to establish a system that values continuous, high-quality health care that is fair to the patient and the physician. Should you have any questions or need any additional information, please do not hesitate to contact Renee Butkus at 202-261-4500 or rbutkus@acponline.org.

Sincerely,



Ana Maria Lopez, MD, MPH, FACP
President

ⁱ <https://www.medicaleconomics.com/medical-economics/news/unitedhealth-drops-more-physicians-its-medicare-advantage-network>

ⁱⁱ https://www.acponline.org/acp_policy/letters/ma_draft_2016_call_letter_2015.pdf

ⁱⁱⁱ <https://www.gao.gov/assets/680/672236.pdf>