

**Congress of the United States**  
**Washington, DC 20515**

September 28, 2021

The Honorable Xavier Becerra  
Secretary  
U.S. Department of Health and Human Services  
1401 Constitution Avenue N.W.  
Washington, DC 20230

The Honorable Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244-1850

Dear Mr. Secretary and Madam Administrator:

We write to thank you for your efforts to implement the Helping Our Senior Population in Comfort Environments (HOSPICE) Act and to ensure that everyone has access to high-quality hospice care.

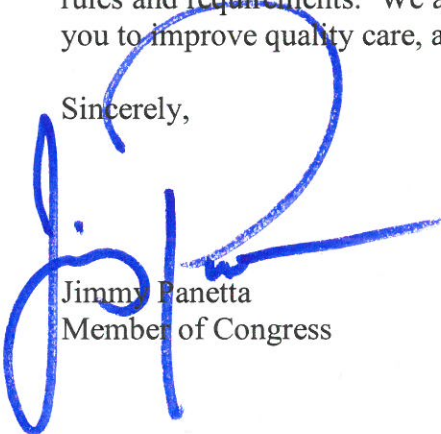
The HOSPICE Act, enacted as part of the Consolidated Appropriations Act last December, aims to uphold the original intent of the Medicare hospice benefit, safeguard the well-being of Medicare beneficiaries electing hospice, and strengthen the survey and enforcement protocols to which hospices are subject. We are grateful that the Centers for Medicare and Medicaid Services (CMS) is currently pursuing rulemaking to implement critical portions of the legislation.

Our legislation gives CMS the tools and resources needed to help poor-performing hospices address deficiencies through education, training, and enforcement remedies. We want to help struggling hospices improve and deliver quality care and give CMS the ability to target bad actor organizations with appropriate penalties. One of the new penalties created by our bill for hospices is the suspension of payment. This sanction already exists in other post-acute settings, where it is commonly reserved for the most severe cases of noncompliance. We support limiting the use of the payment suspension remedy to the most egregious deficiencies, consistent with its use in other care settings.

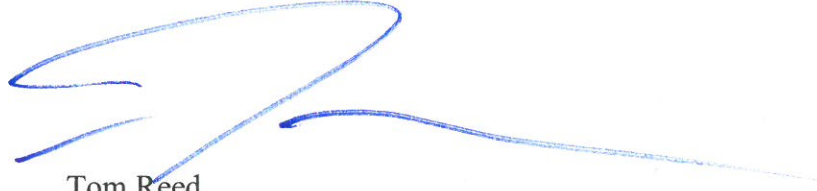
To ensure these provisions and the rest of the HOSPICE Act are finalized in regulation consistent with the intent of the law, and to best serve beneficiaries and improve hospice compliance, we recommend that CMS establish a Technical Expert Panel (TEP). We believe a TEP comprised of diverse and experienced stakeholders, representing patients, families, advocates, and providers of all types, can help CMS implement the new oversight mechanisms.

Patients and their families choosing hospice deserve compassionate, high-quality care that meets their needs and end-of-life goals, provided by organizations that comply with all of Medicare's rules and requirements. We appreciate your attention to this issue, look forward to working with you to improve quality care, and thank you for your consideration of our views.

Sincerely,



Jimmy Panetta  
Member of Congress



Tom Reed  
Member of Congress