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the Field of Transplantation

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June 19, 2015

The Honorable Fred Upton
Chairman, House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member, House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, DC 20515

**Re: AST Support of H.R. 6, 21st Century CURES & Section 3041, Burgess-DeFazio
Provision Protecting Physician Educational Materials**

Dear Chairman Upton and Ranking Member Pallone:

On behalf of the American Society of Transplantation (AST), representing a majority of the nation's professionals engaged in the field of solid organ transplantation, our Society applauds and supports H.R. 6, the 21st Century Cures Act, as recently approved by the House of Representatives Committee on Energy and Commerce. AST shares your commitment for advancing science, innovation, discovery and cures. Our Society and the broader transplant community have focused over the last few years on developing initiatives to stimulate greater innovation and therapeutic development within the field of solid organ transplantation.

In addition to H.R. 6, the AST also wishes to express specific support for Section 3041 of the 21st Century CURES legislation. Our organization and its members welcome the inclusion of Section 3041, adopted from legislation introduced by Reps. Michael Burgess (R-TX) and Peter DeFazio (D-OR), which would appropriately exempt CME and certain educational materials from the reporting requirements of the Physician Payment Sunshine Act.

While the Sunshine Act intended to make payments to physicians more transparent, the Centers for Medicare and Medicaid Services' (CMS) has issued a variety of regulatory interpretations that have called into question whether continuing medical education events could be subject to the law's reporting requirements. Section 3041, as offered by Congressmen Burgess and Defazio, which enjoys bipartisan support, will help end much of the confusion within the CME community, and AST looks forward to its inclusion in the final legislation when passed by the full House of Representatives.

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Section 3041, would clarify that independent medical educational programs and materials are exempt from reporting under the Physician Payments Sunshine Act. AST has continued to be concerned regarding the current interpretation of the Sunshine Act and the negative consequences for the dissemination of medical textbooks, peer-reviewed medical reprints and journals, and access to independent continuing medical education (CME).

Physicians must have access to the most up-to-date independent medical knowledge to support their delivery of high quality patient care. We strongly support this provision and its inclusion in HR. 6, given that it would clarify that independent certified and/or accredited CME is exempt from Sunshine Act reporting.

We thank the committee for its thoughtful consideration of this bipartisan legislation, and look forward to continuing to serve as a resource as the 21st Century CURES legislation continues to advance.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. S. Allan".

AST President

cc: The Honorable Michael C. Burgess
The Honorable Peter A. DeFazio