

1 SJR79  
2 169503-1  
3 By Senators Melson, Hightower, McClendon, Holtzclaw,  
4 Livingston, Glover, Williams, Scofield, Pittman, Holley,  
5 Brewbaker, Reed, Beasley, Allen, Shelnutt, Coleman, Dial,  
6 Waggoner, Marsh, Bussman, Orr, Chambliss, Stutts, Figures,  
7 Whatley, Singleton, Albritton, Sanders, Dunn, and Blackwell  
8 RFD:  
9 First Read: 21-MAY-15

8 URGING THE UNITED STATES CONGRESS TO TAKE ALL  
9 NECESSARY MEASURES TO DELAY THE MANDATED IMPLEMENTATION OF  
10 ICD-10 AND LESSEN THE BURDEN ON ALABAMA MEDICAL PRACTICES.

11  
12 WHEREAS, the Centers for Medicare and Medicaid  
13 Services (CMS) is forcing an unfunded mandate on the health  
14 care community known as the International Classification of  
15 Diseases and Related Problems, 10th Version (ICD-10) on  
16 October 1, 2015, to replace the ICD-9 System currently in use;  
17 and

18 WHEREAS, implementing ICD-10 requires physicians and  
19 their office staffs to transition to a system that makes use  
20 of 68,000 new diagnostic codes, a four-fold increase from the  
21 current ICD-9 system that hosts approximately 13,000  
22 diagnostic codes, requiring an abundance of costly and  
23 time-consuming education, software, coder training, and  
24 testing for conversion; and

25 WHEREAS, physicians, who are the actual individuals  
26 diagnosing and treating patients, widely agree that this

1 conversion will not improve patient care and that such an  
2 overnight four-fold increase in diagnostic codes could lead to  
3 coding errors and further erode the relationships between  
4 patients and their doctors; and

5 WHEREAS, ICD-10, with its four-fold increase in  
6 diagnostic codes, could provide insurers four times as many  
7 reasons to deny necessary medical services and procedures for  
8 patients for coding errors; and

9 WHEREAS, this unfunded mandate requiring transition  
10 to ICD-10 will hit private medical practices hardest forcing a  
11 significant and unrecoverable financial investment which,  
12 depending on medical practice size, can range from \$80,000 to  
13 approximately \$2.7 million, without any assistance from the  
14 government for the mandated transition; and

15 WHEREAS, the United States is the only country  
16 adopting ICD-10 that is tying the use of a diagnostic coding  
17 system with a medical billing system; and

18 WHEREAS, the CMS has anticipated significant claims  
19 and payment disruptions to physicians and others, causing an  
20 increased amount of administrative constraints to be placed  
21 upon physicians and their office staff, ultimately hurting  
22 small business medical practices and impeding access to care  
23 for Alabama patients; and

24 WHEREAS, ICD-10 transition could not come at a worse  
25 time, as many medical practices are maximizing administrative  
26 and financial resources to comply with the challenges of the

Affordable Care Act and electronic health record mandates; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby urge the United States Congress to delay the implementation of ICD-10 and create an impartial committee to study the problems with implementation and develop recommendations to address the many unintended consequences that have not been adequately evaluated.

BE IT FURTHER RESOLVED, That if a delay of ICD-10 implementation is not feasible, we urge Congress to allow a two-year grace period for ICD-10 transition, during which time physicians will not be penalized for errors, mistakes, and/or malfunctions of the system, and that physician payments will also not be withheld based on ICD-10 coding mistakes, providing for a true transition where physicians and their offices can work with ICD-10 over a period of time and not be penalized.

BE IT FURTHER RESOLVED, That we urge Congress to consider appropriating funds to cover the significant cost and administrative burden of this unfunded mandate on medical practices.

BE IT FURTHER RESOLVED, That a copy of this resolution be made available to all members of the Alabama Congressional Delegation as well as to all members of Congress.

