

May 21, 2020

The Honorable Seema Verma
Administrator
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Washington, DC 20201

Re: Reinstatement of the Autopsy Standard as a Medicare Condition of Participation

Dear Administrator Verma:

On behalf of our physician and medical student members, the American Medical Association (AMA) is writing to **strongly urge the Centers for Medicare & Medicaid Services (CMS) to reinstate the autopsy standard as a Medicare condition of participation.** On September 26, 2019, CMS removed¹ the autopsy standards (§482.22 (d)²) for hospitals in the Omnibus Burden Reduction Final Rule. This rule change has negatively impacted the practice of medicine by failing to acknowledge that clinical autopsies are a vital part of providing critical feedback regarding diagnostic accuracy, therapeutic efficacy, and presence of medical complications.³

The rate of autopsies decreased significantly throughout the 20th Century. In the U.S., the autopsy rate decreased from 17 percent in 1980⁴ to 11.5 percent in 1989⁵ to 8.3 percent in 2003. Moreover, countless hospitals have abandoned the use of autopsies to gauge the quality of their medical care, a trend that has continued to worsened since 1971 when the Joint Commission on Accreditation of Healthcare Organizations (now the Joint Commission) dropped its requirement that hospitals maintain a minimum autopsy rate of 20 percent.⁶ Likewise, the removal of the CMS autopsy standard will only further contribute to the deterioration of the national autopsy rate and will severely limit the matchless contributions that autopsies make to medical education and research.

Among the many benefits that autopsies provide to medicine, an autopsy, followed by a histopathological examination of the tissues, remains the most important step for understanding diseases and for the further

¹ <https://www.law.cornell.edu/cfr/text/42/482.22>.

² <https://www.govinfo.gov/content/pkg/CFR-2010-title42-vol5/pdf/CFR-2010-title42-vol5-sec482-22.pdf>.

³ <https://www.ncbi.nlm.nih.gov/pubmed/27788335>.

⁴ <https://www.ncbi.nlm.nih.gov/pubmed/3126389>.

⁵ <https://jamanetwork.com/journals/jama/article-abstract/404637>.

⁶ <https://www.pbs.org/wgbh/frontline/article/more-deaths-go-unchecked-as-autopsy-rate-falls-to-miserably-low-levels/>.

The Honorable Seema Verma

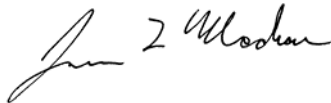
May 21, 2020

Page 2

evolution of medicine.⁷ Currently, the autopsy rate in the U.S. for disease caused deaths is only about 4.3 percent.⁸ This decline in autopsies is depriving anatomic pathology residents across the country of this vital tool for learning normal histology and usual anatomical and histological variations.⁹ During a time when understanding and treating novel diseases is more important than ever, the U.S. can ill afford to reduce access to this irreplaceable tool.

Autopsies play a unique and indispensable role in supporting the ability of health care professionals to provide high quality patient care. During a time when the importance of autopsies is ever increasing but, the execution of autopsies is steadily declining, **the AMA urges CMS to reinstate its autopsy standard as a condition of participation so that proper care can be administered, vital research can be conducted, and our next generation of physicians can be properly educated.** Thank you in advance for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Madara". The signature is fluid and cursive, with the first name "James" being more prominent.

James L. Madara, MD

⁷ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4305994/>.

⁸ <https://www.pbs.org/wgbh/frontline/article/more-deaths-go-unchecked-as-autopsy-rate-falls-to-miserably-low-levels/>.

⁹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5724047/>.