

March 12, 2025

Stephanie Carlton  
Acting Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244-1850

Dear Acting Administrator Carlton:

On behalf of the physician and medical student members of the American Medical Association (AMA), I urge the Centers for Medicare & Medicaid Services (CMS) to reopen applications for the Merit-based Incentive Payment System (MIPS) Extreme and Uncontrollable Circumstances (EUC) hardship exception for performance year 2024 due to the medication and intravenous (IV) fluid shortage emergency. The AMA greatly appreciates CMS' leadership in making the EUC readily available to MIPS eligible clinicians in recent years due to the COVID-19 pandemic and the Change Healthcare cyberattack—two catastrophic situations that jeopardized the livelihood of private physician practices and access to care for older Americans and Americans with disabilities. We write to urge the agency to utilize the same flexible approach to reduce the regulatory burden of MIPS data submission and hold harmless from MIPS financial penalties physicians who are continuing to make difficult decisions to limit resources that significantly impact patient care and, by extension, may impact MIPS performance.

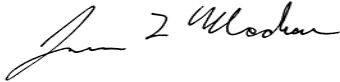
Unfortunately, physicians continue to face hardships due to the national shortage of IV fluids exacerbated by Hurricane Helene in September 2024 and a severe winter respiratory virus season leading to lower supply and increased demand for these drug products. While we [sincerely appreciate](#) that the U.S. Department of Health and Human Services and the U.S. Food and Drug Administration have taken steps to help mitigate shortages, we continue to hear from physicians that they must conserve IV fluids and utilize alternatives for patients who are undergoing surgery, cancer treatment, or seeking critical care in the hospital and, in some cases, restrict access to elective surgery.

Because contingencies due to the nationwide IV shortage remain in effect, physicians' performance in MIPS, particularly on certain MIPS quality and cost measures, may be impacted due to circumstances outside of their control. Physicians should not be forced to choose between preserving their performance in MIPS or appropriately rationing critical medical supplies during the current emergency situation. Moreover, practices that would otherwise have been able to divert clinical or administrative staff time to apply for an EUC hardship exception or submit MIPS data are currently unable as they manage new and evolving processes to avoid patient delays by conserving limited IV fluid supplies, managing existing supplies, and investigating alternative supply chains. Therefore, we strongly urge CMS to act with urgency and expediency to reopen the 2024 MIPS EUC hardship exception before the end of the data submission window on March 31, 2025.

Stephanie Carlton  
March 12, 2025  
Page 2

We greatly appreciate your attention to this time-sensitive request. Should you have any questions about this letter, please do not hesitate to contact Margaret Garikes, Vice President of Federal Affairs, at [Margaret.garikes@ama-assn.org](mailto:Margaret.garikes@ama-assn.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim L Madara". The signature is written in a cursive, flowing style.

James L. Madara, MD