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Centers for Medicare & Medicaid Services  
Department of Health and Human Services  
Attention: CMS-9070  
PO Box 8012  
Baltimore, MD 21244-1850

Dear CMS:

We support the effort underway by the Centers for Medicare & Medicaid Services to identify and do away with regulations that are unnecessary, obsolete, or burdensome to healthcare providers. The changes currently proposed are a step in the right direction—particularly the following items:

- **A(1).** Lifting of unnecessary fire safety requirements in dialysis centers.
- **A(2).** Relaxation of regulations dictating what types of emergency equipment must be kept in ambulatory surgical centers.
- **A(3).** Lifting of the bar preventing providers from reenrolling in Medicare after privileges have been revoked (which can occur unintentionally).
- **B(5).** Elimination of criteria defining what a “qualified physical therapist” and “qualified occupational therapist” is.
- **B(6).** Allowing individuals who choose to opt into organ donation programs to offer more detail around which organs and tissues they are willing to donate.

However, even if all of the proposed changes are enacted, the cumulative effect would be so miniscule that it is hard to regard this as a serious attempt at regulatory reform.

Some of the proposed changes merely clean up outdated terms and references (for example, in B5 where the existing qualifications reference professional organizations that no longer exist). Other changes merely remove duplication of regulations already in place at the state level. By the government’s own accounting the total economic impact will be barely \$170 million—and most of that on a one-time basis—out of a segment of the national economy that accounts for more than two trillion dollars in spending every year.

There are thousands of pages of regulation in place, strangling providers, wasting their time, and thwarting innovation. CMS should be looking to strike down entire volumes of rules, not tweak a few isolated sentences just to update terminology and correct for typographical errors (e.g., items B7 and B8 in the request for public comment).

Please expand your effort dramatically and reduce Medicare and Medicaid regulations so that natural market forces can begin to shape what should be the real goal: *a non-coercive and self-regulating healthcare industry*.

Sincerely,

Jared M. Rhoads