

May 24, 2022

The Honorable Gretchen Whitmer
Governor, State of Michigan
P.O. Box 30013
Lansing, Michigan 48909

Dear Governor Whitmer,

On behalf of the more than 1,000 anesthesiologists represented by the Michigan Society of Anesthesiologists (MSA), we urge you to reject opting out of the CMS requirement that nurse anesthetists be supervised by physicians because it will negatively impact patient safety, increase healthcare costs and reduce the quality of health care for Michigan patients.

Our objections to the opt out fall into five main categories:

SAFETY

Opting out clearly puts patient safety at risk by undermining physician supervision of high-stakes procedures and life-saving surgeries.

COST

Opting out does nothing to rein in rising healthcare costs and in fact is likely to raise healthcare costs at a time when Michigan families struggling with the rising cost of groceries, gas and prescription drugs can least afford it.

Michigan patients would pay the price. CRNAs are already able to bill CMS patients independently and receive the same amount as an anesthesiologist would, so no opt out is necessary.

TRANSPARENCY

Major healthcare policy changes should be carefully considered, discussed and debated — not rushed through. We applaud the Administration for requesting input and suggest that additional research, study and consideration would expose the significant flaws in this radical and unnecessary policy change.

ACCESS

Several peer-reviewed studies have found that opt-out states have not improved access to anesthesia care despite claims to the contrary by proponents of this dangerous policy change.

LEGAL CONCERNS

An opt out is wholly inconsistent with Michigan's scope of practice law passed last year, and it would be extremely problematic from a legal standpoint.

Our legal analysis shows an opt out request from Michigan would violate federal law because of the flagrant inconsistencies between state law and federal regulations.

Michigan law requires physician supervision of all nurse anesthetists unless they have practiced for at least three years and have at least 4,000 hours. Even then, those nurse anesthetists must collaboratively participate in a patient-centered care team where the physician is immediately available.

For all these reasons, an opt out is not appropriate for the state of Michigan, which is why the Board of Medicine and the Michigan State Medical Society both publicly oppose such a move. Based on feedback from our more than 1,000 anesthesiologist members, we believe this move would further destabilize and demoralize the physician community and decimate the ability to recruit and retain talent.

Removing physician supervision from anesthesia care threatens patient safety, raises costs and lowers the quality of health care.

Thank you for your consideration of our objections in this consequential healthcare policy decision. We stand ready to discuss this issue further as all of us have a vested interest in making sure Michigan is a leader in healthcare policy and patient safety.

Respectfully,

A handwritten signature in black ink, appearing to read "N. Ravikant". The signature is fluid and cursive, with a large, stylized initial "N" and "R".

Neeju Ravikant, MS, MD
President, Michigan Society of Anesthesiologists

Cc: Michigan Board of Medicine
Elizabeth Hertel, Director, MDHHS