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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2306**

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Tamara Syrek Jensen, JD  
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Stephen Boren, M.D., MBA  
Medical Director  
National Government Services  
East Syracuse, NY 13057

Dear Ms. Jensen and Dr. Boren:

As you know, the opioid epidemic continues to ravage the country, claiming nearly 50,000 lives in 2019 alone.<sup>1</sup> Given this grim statistic, I am gravely concerned the current proposed local coverage determination (LCD) for epidural interventions and other non-opioid interventional pain-management techniques<sup>2</sup> will likely add further fuel to this public health crisis.

The proposed LCD reduces epidural injections to an unmanageable number, includes a list of conditions eligible for epidural treatments that is far too limited, and eliminates important procedures that have been performed for 25 years. In addition to discouraging epidural use, the restrictions in the proposed LCD could impose higher costs on patients who continue to use them, as well as require them to take potentially duplicative COVID-19 tests.

The Multi-jurisdictional Committee has provided evidence-based policies, yet the data was evidently ignored by the Centers for Medicare and Medicaid Services (CMS). To ensure we do not further limit patient access, I strongly encourage your offices to revise the LCD to:

- Provide coverage for multiple procedures in the same session, when reasonable and necessary;
- Expand the greatly constricted inclusion criteria for indications and medical necessity;
- Increase the number of procedures during the diagnostic or initial phase; and
- Add percutaneous adhesiolysis to the list of eligible procedures, which is designed to remove epidural-site tissue to relieve chronic pain

As the opioid epidemic in America grows, now is not the time to decrease access to other forms of pain management. I appreciate your attention to this urgent matter and stand ready to assist you in any way.

Sincerely,



Tom Emmer  
Member of Congress

<sup>1</sup> Centers for Disease Control and Prevention. "Drug Overdose Deaths." <https://www.cdc.gov/drugoverdose/deaths/index.html>. Accessed 29 September 2021.

<sup>2</sup> United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. "Local Coverage Determination: Epidural Procedures for Pain Management," <https://www.cms.gov/medicare-coverage-database/view/lcd.aspx?lcdid=39069>. Accessed 4 October 2021.