

APTA Advocacy Network Newsletter — October 2023 Edition

An Active Autumn of Advocacy

Fall is in the air, football is back, and Starbucks has pumpkin spice lattes again. On Capitol Hill, Congress is grappling with many political challenges this autumn, including the efforts to prevent a government shutdown and the selection of a new Speaker of the House. Meanwhile, all eyes are on the congressional calendar with the number of legislative days dwindling, and many major issues to be resolved before year's end.

Despite these hurdles, APTA advocates continue to push the bipartisan physical therapy agenda forward aimed at payment, administrative burden, workforce, and more. Now we have a critical new tool to make our case with policymakers with the release of "[The Economic Value of Physical Therapy in the United States.](#)" This APTA report [showcases the cost-effectiveness and economic value](#) of physical therapist services for a broad range of common conditions. The report compares physical therapy with alternative care across a suite of health conditions commonly seen within the U.S. health care system. The report underscores and reinforces the importance of including physical therapists and physical therapist assistants as part of multidisciplinary teams focused on improving patient outcomes and decreasing downstream costs.

Policymakers should [consider the insights provided in this report](#) to support access to, coverage of, and payment for physical therapist services, and to support policies that position physical therapists as entry-point providers to ensure beneficiaries have timely access to proven, cost-effective care. The report supports APTA's federal legislative agenda, including APTA-supported bills to reform Medicare payment, address prior authorization, allow PTAs to practice under general supervision, support the therapy workforce, and position physical therapists as an entry-point in the health care system. Be sure to [check out the various tools and resources](#) to [learn more](#) and promote the report.

On Thursday, Oct. 19, the U.S. House of Representatives' Energy and Commerce Committee Subcommittee on Health [held a hearing](#) titled "What's The Prognosis? Examining Medicare Proposals to Improve Patient Access to Care and Minimize Red Tape for Doctors." The purpose of the hearing was to examine provider payment policies under Medicare, including legislative solutions to increase beneficiary access to care. Of note, the [EMPOWER Act \(H.R. 4878\)](#), legislation that would change the current outdated direct supervision requirement of PTAs to general supervision for Medicare Part B outpatient clinics, was included in the hearing. This was a critical step in advancing this APTA-supported bill in the House.

As we head into the final frenzied months, Congress must pass legislation that provides additional funding to the Medicare fee schedule to avoid cuts in 2024 and consider options for broader reforms to payment. APTA continues to advocate on improved payment and less paperwork for therapists under Medicare, and the need for Congress to intervene again with more funding before the end of the year. Similar to the past few years when APTA advocates helped secure additional funding to address planned cuts, any such reprieve for the 2024 fee schedule will likely be part of a year-end omnibus bill passed by Congress in late December. With the clock ticking, we must continue to keep the pressure on Congress. **[We need your participation now more than ever to continue to make sure the voice of physical therapy is heard on Capitol Hill.](#)**

Thank you for continued advocacy and support and thank you for being a member of APTA!

Justin Elliott, Vice President, Government Affairs

Congressional Update

APTA-Endorsed Telehealth Bill Introduced in the Senate

APTA continues to see forward movement on legislation to make PTs permanent authorized providers of telehealth under Medicare. This summer, in the House of Representatives, Reps. Mikie Sherrill, D-N.J., and Diana Harshbarger, R-Tenn., reintroduced H.R. 3875, the Expanded Telehealth Access Act, which makes PTs, OTs, and SLPs as permanent telehealth providers. The bill currently has 42 co-sponsors.

Late last month, Sens. Steve Daines, R-Mont., and Tina Smith, D-Minn., introduced the same bill in the Senate, which has the bill number S.2880. Both bills aim to ensure that a Medicare patient's visit with a PT via telehealth continues to be a covered benefit. It is critical that Congress address telehealth coverage from Medicare as soon as possible. In the early stages of the pandemic, Congress authorized the Centers for Medicare and Medicaid Services to grant temporary waivers to numerous medical providers permitting them to treat Medicare patients using telehealth, when most appropriate, to keep those patients safe from the COVID-19 virus. However, these waivers from CMS will expire Dec. 31, 2024, unless Congress acts. APTA is advocating for PTs and PTAs to be able to permanently use telehealth as an option under Medicare.

[APTA prepared an issue brief](#) you may share with your member of Congress and their staff, that provides some background on the bill and why this is important to the physical therapy profession. APTA urges members to reach out to their representatives and ask that they co-sponsor H.R. 3875/S.2880. You can request that your member of Congress support the bill using the [APTA Legislative Action Center](#).

APTA Provides Input to Congress on Health Care Access in Underserved Areas

APTA continues to advocate for legislation to improve health care access and quality for medically underserved areas.

Last month, the House Ways and Means Committee published a Request or Information soliciting ideas on how to improve health care in underserved regions, particularly rural areas, which have experienced increased workforce shortages and hospital closures.

APTA responded to the Committee by [submitting a letter](#) that included a series of policy recommendations: include PTs in the National Health Service Corps Loan Repayment Program, provide federal community health centers with greater options to include PT care, permit PTAs to work under general, rather than direct, supervision when treating Medicare patients, make PTs permanent authorized providers of telehealth under Medicare, reform the Medicare Physician Fee Schedule to prevent further payment cuts, eliminate MPPR, and reforms to the plan of care certification requirement.

State Update

Celebrating Success: State Affairs' 2023 State Legislative Season Highlights and Award Nominations

The 2023 state legislative season proved to be busy and successful with state advocates securing significant victories for the profession. Explore the key highlights here at [APTA's 2023 State Roundup](#).

In recognition of our dedicated advocates, we are pleased to announce that nominations are now open for the APTA State Legislative Leadership & Recognition of Legislative Commitment Award. This award recognizes and rewards an APTA member who has demonstrated exceptional leadership in state legislative matters, contributing to increased awareness and engagement in state legislative issues, and achieving remarkable success in enhancing the practice of physical therapy at the state level. You can submit your nominations until Jan. 31, 2024, by using our [convenient online nomination form](#).

The recipient of this prestigious award will be notified in May 2024, acknowledging their outstanding contributions to our profession. For further details about the award and its criteria, please refer to the [additional information available here](#).

Our department recognizes that we can only achieve our mission through ongoing conversation, collaboration, and partnership with our state chapters. If you are in need of any assistance from the State Affairs Department, please email [Advocacy](#). For questions regarding the nomination process or the award, please contact [Honors & Awards](#).

Regulatory Update

Regulatory Updates: Last Stop, OMB!

We're on the cusp of critical regulatory changes, as final rules have begun their journey through the Office of Management and Budget. Of particular significance are the Physician Fee Schedule and the Home Health Payment Rule. The Fee Schedule, which CMS has estimated will be released Nov. 1, carries answers to a multitude of questions that members are eager to hear about, from caregiver training codes to remote therapeutic monitoring and the final updates to MIPS.

Additionally, the Home Health Rule is poised to reveal the eagerly awaited lymphedema benefit and how it's structured. The presence of these rules on OMB's website is the last step before publication, which we'll be closely monitoring, as we will be for other final rules related to prior authorization, Medicaid, and school-based services.

While Congress recently passed a stopgap funding bill to keep the government operational through mid-November, the potential impact on the release of these rules remains a concern. As we tread the path of regulatory and legislative complexities, it's important to note that — though of more limited concern given the timing — a government shutdown threat still looms. Rest assured, whenever these rules emerge, the American Physical Therapy Association is committed to providing you with the resources and insights you need. Mark your calendars for our remaining APTA Regulatory, Legislative, and Payment Update webinars this year on [Oct. 26](#) and [Dec. 14](#), where we will delve into these critical developments and their implications. Stay informed and engaged as we navigate this evolving landscape together. Also, keep in mind that you can earn CEUs for attending these webinars; the October webinar is currently approved for one contact hour, and as we approach the December date, it will likely be approved for the same amount.

Finally, while these rules are expected to provide many answers, we also must acknowledge that congressional action remains essential, especially in addressing the significant decrease in the conversion factor. This legislative component will play a pivotal role in shaping the regulatory landscape, and we remind members that these continued advocacy efforts during rulemaking are necessary to complement the work being done by our legislative colleagues.

Ensuring Physical Therapy Has a Seat at the Table

As the U.S. health care system intensifies its focus on quality measures to inform key policy decisions, the physical therapy profession is increasingly finding itself at the table for important discussions on issues, including which measures to use, what could be dropped, and how measures will be adopted and monitored. Several APTA members will now be contributing to those discussions.

Marissa Carvalho, PT, DPT; Ronald Langham, PT, MBA; Lori Pearlmutter, PT, MPH; and APTA Vice President of Practice Anita Bemis-Dougherty, PT, DPT, MAS, have been appointed to the Battelle Partnership for Quality Measurement's Pre-Rulemaking

Measure Review Committees, which provide recommendations to the U.S. Department of Health & Human Services on the selection of quality and efficiency measures under consideration for use by the department, including within the Centers for Medicare & Medicaid Services Quality Payment Program.

Langham also will serve on the Measure Set Review Committee responsible for making recommendations on the removal of measures from the Medicare quality program. APTA Senior Payment Specialist Alice Bell, PT, DPT, will serve on the Cost and Efficiency Committee, which focuses on the endorsement and maintenance of quality performance measures.

Battelle took over as CMS' contracted "consensus-based entity" to oversee endorsement and maintenance of quality measures in late March 2023, a role that was previously contracted to the National Quality Forum.

And in more good news for the profession: APTA member Kathleen Picard, PT, DPT, has been appointed to the nominating committee for appointments to the American Medical Association's Health Care Professionals Advisory Committee, known as HCPAC. In her new role, Picard will participate in reviewing and recommending a slate of HCPAC Advisor candidates for the HCPAC Editorial Panel for consideration by the AMA Board of Trustees. That panel plays a key role in the development and maintenance of current procedural terminology codes. In addition to her new role, Picard continues to serve as a CPT advisor.

APTA Advocacy Win

APTA's participation in the [Disability & Rehabilitation Research Coalition](#) has helped fuel a significant change at the National Institutes of Health: the official designation of people with disabilities as a population with health disparities. The change will open the door for research on how disability intersects with inequitable health outcomes, particularly among people with disabilities who are also part of populations that experience disparities due to racial, ethnic, socioeconomic, or geographic factors.

Along with the announcement of the change via [NIH press release](#), NIH also issued a [notice of funding opportunity](#) calling for "research on novel and innovative approaches and interventions that address the intersecting impact of disability, race and ethnicity, and socioeconomic status on health care access and outcomes."

Advocacy to Advance Physical Activity

APTA hosted the inaugural #MoveWithUS Physical Activity Alliance Symposium on Thursday, Sept. 14, 2023, at APTA Centennial Center. The event brought together over 100 representatives from 80 organizations to discuss physical activity and public health. The [Physical Activity Alliance](#) is a coalition that advocates for policy and system changes that enable all Americans to enjoy healthier, happier lives through movement.

In related news, the [Physical Activity Implementation Guide](#) was recently published. The IG standardizes the ability of computer systems or software to exchange information involved in measuring, reporting, and intervening to improve patient physical activity levels. Publication signifies that the IG is ready to start being incorporated and used in stakeholder systems. These include, but

are not limited to, health care systems, electronic health record systems, physical activity professionals/organizations (including community-based organizations), and physical activity-oriented app developers.

These early implementations will provide real-world testing of the IG and feedback for continued improvement and development.

Grassroots Update

Flash Action Strategy Advocacy Campaign Wrap

Despite busy semesters, students from PT and PTA programs across the United States took time to participate in APTA Flash Action Strategy in mid-September. This annual event is a nationwide effort, primarily using APTA's [Patient Action](#) and [Legislative Action](#) Centers to concentrate their efforts during the two-day window of intense messaging.

This year's focus was on the [Optimizing Postpartum Outcomes Act](#) (H.R. 2480), a bipartisan bill that would strengthen Medicaid's emphasis on pelvic care for mothers in their postpartum period. The legislation would raise awareness among postpartum individuals and their providers of the importance of pelvic floor physical therapy and other services offered under Medicaid and the Children's Health Insurance Program. [Read more about the event and how thousands of students stepped up to advocate!](#)

Save the Date: APTA Capitol Hill Day 2024

Mark your calendars for the 2024 APTA Capitol Hill Day that will take place April 14-16 in Washington, D.C. Participants will receive advocacy training starting the morning of April 15 and meet with members of Congress on April 16. More details are coming soon and we hope you will save the date to advocate.

PTPAC Update

Inside Elections: Fight for the House Comes Out of the Shadows

Inside Elections, from Nathan Gonzales, is an exclusive look at the political landscape and the upcoming elections. APTA Advocacy Network members can [view this exclusive digest](#) that includes a look at the 2024 House and Senate races.

Get Your Serve on at APTA CSM PTPAC Party

Support PTPAC's advocacy efforts on Capitol Hill at PTPAC's evening event during APTA Combined Sections Meeting. This year the event will take place at [SPIN](#). The event will be on Friday, Feb. 16, from 7-9 p.m. Tickets cost \$100 for PTs and PTAs and \$50 for students. The ticket includes drinks, dinner, DJ, and of course, ping pong! You can buy your PTPAC tickets when registering for conference online. You must be at least 21 years of age to attend. All PTPAC Eagle club members receive one free ticket, but you must contact [Michael Matlack](#) to reserve your ticket.

Contributions to PTPAC are not tax deductible as charitable contributions. Contributions are voluntary. Your contribution will be used to support candidates for federal office who support physical therapy issues. The amount given by the contributor, or the refusal to give, will not benefit or disadvantage the person being solicited.