FAL BRIEFING MEMORANDRUM

JUNE 2019

OSHA: In response to an APTA's request, OSHA issued a clarification that definitively establishes physical therapists among the providers able to perform soft tissue interventions that constitute first aid in work settings. The OSHA clarification is a response from a February 2019 meeting secured by APTA government affairs staff in partnership with the APTA Academy of Orthopaedic Physical Therapy's Occupational Health Special Interest Group and the APTA Private Practice Section. It clears up a previously foggy area of agency regulation involving what is and isn't considered "medical treatment beyond first aid" in the workplace—an important distinction for OSHA, as any treatment beyond first aid must be reported as a work-related injury or illness.

2019 FALLS PREVENTION DAY: Monday, September 23 is Falls Prevention Awareness Day! The annual Falls Prevention Awareness Day (FPAD) raises awareness about how to prevent fall-related injuries among older adults. APTA is a supporter of this annual event sponsored by the National Council on Aging. Even though the event is three months away, we encourage FALS to share information about FPAD with your members and components now. Members and components can view resources and information on how individuals can get involved, as well as promote this day, by going HERE.

OPIOIDS: On May 21 APTA hosted two separate-but-nearly-identical briefings titled "Beyond Opioids: Treating Pain and Preventing Addiction"; one for US House of Representatives and another for the Senate. The panel featured three speakers, including Cindy Whyde whose son became addicted to prescription opioids, and eventually heroin, after receiving an opioid prescription to treat a high school football injury 9 years ago. A recap of the briefing including the recording can be found HERE

PT STUDENT LOANS: APTA was invited to testify for a hearing held before the House Committee on Small Business on Wednesday, July 12 titled *"The Doctor is Out. Rising Student Loan Debt and the Decline of the Small Medical Practice."* PPS President Sandy Norby testified and provided the perspective of a small business owner and the challenges to attract young professionals to jobs in rural areas where salaries may be lower than those available in urban area. Her testimony highlighted the need to enacted legislation adding PTs to the National Health Service Corp (H.R. 2802/S. 970). View the hearing recording HERE.

WORKFORCE DIVERSITY: Legislation to support the diversity of the therapy workforce may be introduced in the near future. APTA, along with AOTA and ASHA, have crafted a bill to provide student scholarships or stipends for individuals underrepresented in the professions of physical therapy, occupational therapy, audiology and speechlanguage pathology, including racial and ethnic minorities, or from disadvantaged backgrounds. The APTA-AOTA-ASHA proposed bill recommends \$5 million for scholarships and stipends from 2020-2025.

STARK: The White House Office of Management and Budget on June 5 began reviewing highly anticipated changes to the Stark, or physician self-referral, law. The proposed rule is expected to come out in July, according to CMS' regulatory agenda, as are changes to the anti-kickback statute that are also under review at OMB. CMS last year collected industry feedback on physician self-referral law exemptions that would reduce barriers to care coordination in alternative pay models.

ADMIN BURDEN: The Centers for Medicare and Medicaid Services (CMS) issued a Request for Information (RFI) seeking stakeholder input on additional options to reduce administrative burdens and focus on patient-centered care, innovation and outcomes. The agency highlighted the following specific areas of interest including: prior authorization procedures, reporting and documentation requirements, coding and documentation requirements for Medicare or Medicaid payment, and policies and requirements for rural providers, clinicians, and beneficiaries. In addition, Reps. DelBene, Kelly, Marshall, and Bera introduced H.R. 3107, the *Improving Seniors' Timely Access to*

