

## **APTA Advocacy Network Newsletter — March 2024 Edition**

### **Advocacy Marches On**

Spring is in the air. Clocks have sprung forward an hour, March Madness brackets are on the mind, and in Washington, D.C., the cherry blossom peak bloom speculation has begun.

On Capitol Hill, it has been an intense start to spring as policymakers on both sides of the aisle worked to formulate and pass a bipartisan agreement to keep the government funded and address the Medicare payment cut that went into effect Jan. 1, impacting dozens of providers, including physical therapists. In February, we saw 32 senators come together in a bipartisan effort [via a letter to congressional leadership](#) urging more funding for the 2024 fee schedule and saying that such a fix must be included in any spending deal. APTA also advocates made their voices heard in record numbers, demanding that Congress include a fix to the Medicare fee schedule in the spending package deal, and they were successful.

On March 7, Congress passed a funding package that prevents a government shutdown and provides over \$730 million in additional funding (a 1.68% increase to the fee schedule's conversion factor that impacts payments to all providers) for the 2024 Medicare fee schedule to mitigate cuts. The additional funding provided by Congress will reduce, but not totally eliminate, the entire 3.37% facing a wide range of providers.

Along with payment, reducing administrative burden continues to be a priority for APTA, and to support that effort, bipartisan legislation was recently introduced in the House of Representatives aimed at eliminating the need to chase down signatures from referring physicians for the purposes of certifying a plan of care. Reps. Don Davis, D-N.C., and Lloyd Smucker, R-Pa., introduced [The Reduce Duplicative Unnecessary Clerical Exchanges, or REDUCE Act \(H.R. 7279\)](#), that would eliminate this outdated requirement.

Another new bill is the [APTA-supported legislation introduced in the U.S. House of Representatives](#) on March 11 that would [expand the role of falls screening and prevention by physical therapists and include PT falls prevention-related services in Medicare's "welcome" visit and annual wellness visits](#). Known as the Stopping Addiction and Falls for the Elderly Act, aka SAFE Act (H.R. 7618), the legislation would make falls screening and services conducted by PTs a part of both the "Welcome to Medicare" visit, officially titled the Initial Preventive Physical Examination, and the Medicare Annual Wellness Visit. The bill was introduced by

Reps. Carol Miller, R-W.Va., and Melanie Stansbury, D-N.M. APTA strongly supports the legislation.

To help members keep track of all the bills that APTA is engaged in during the 118th Congress, please be sure to check out the [APTA 118th legislation tracker that outlines the various bills that APTA is leading, working in coalition with other groups, or has endorsed](#). The various bills cover everything from payment in all Medicare settings, reducing administrative burden, digital health, workforce, student loan burden, rural health, full funding for IDEA, and a whole host of issues impacting the patients PTs and PTAs serve.

And the next advocacy opportunity for our voices to be heard on Capitol Hill is happening next month with the [APTA Capitol Hill Day](#), scheduled for April 14-16 in Washington, D.C. We hope that you can join us as we hit the Hill to advocate on issues impacting PT payments, administrative burdens, and the workforce. Don't delay — registration closes March 22.

As always, we greatly appreciate your advocacy and support, and your voice does make a difference. Thank you for being a member of APTA!

Justin Elliott  
Vice President, Government Affairs

## **Congressional Update**

### **Medicare Payment Reform Heats Up**

With efforts to reform the Medicare Part B payment heating up, thanks to APTA advocates pressing lawmakers for the need for a long-term fix to payment, progress is being seen in both the House and Senate on possible next steps.

On the House side, a slew of bills have been introduced to address some of the structural and foundational flaws of the Medicare fee schedule system. These proposed reforms are aimed at addressing the declining payments for dozens of providers in the past few years. Three APTA-supported bills of note to watch are the [Strengthening Medicare for Patients and Providers Act](#) (H.R. 2474), the [Physician Fee Schedule Update and Improvements Act](#) (H.R. 6545), and the [Provider Reimbursement Stability Act](#) (H.R. 6371). These bills are focused on a variety of issues with the fee schedule, such as providing an annual inflationary payment update based on the Medicare Economic Index; providing adjustments to the budget neutrality policy, which has triggered cuts to providers in the past few years; updating practice expense inputs, such as clinical labor costs, at least every five years to keep with the rising costs of running a practice; and limiting wide swings in the fee schedule's conversion factor to provide better stability to payment.

Meanwhile, in the Senate, a bipartisan working group consisting of Sens. Catherine Cortez Masto, D-Nev., Debbie Stabenow, D-Mich., Mark Warner, D-Va., John Barrasso, R-Wyo., Marsha Blackburn, R-Tenn., and John Thune, R-S.D., is soliciting

ideas from stakeholders. APTA is meeting with these senators in the weeks ahead to outline our priorities and concerns. The senate workgroup's goal is to have a proposal by this summer with the aim of passing before year's end.

APTA is also focused on therapy-specific reforms to the Medicare fee schedule, as outlined in [our Medicare reform policy principles](#) released last year. These principles are aimed at improving payment and reducing administrative burden by eliminating the MPPR policy, allowing PTs to privately contract with beneficiaries (also known as opt-out), allowing PTAs to practice at the top of their license via general supervision, and reforming the quality payment program to better reflect the value that physical therapy brings to the U.S. health care system.

Reforming Medicare payment will be one of the issues APTA advocates will be discussing with policymakers as part of [APTA Capitol Hill Day](#), April 14-16, in Washington, D.C.

## **Department of Defense Win**

We received thrilling news in January when the Department of Defense notified Congress that it plans to allow service members direct access to physical therapy by the end of 2025! This exciting update was due to efforts begun back in 2022, when APTA was successful in securing report language in the 2023 FY NDAA that requested an analysis by the DoD of allowing PTs to serve in a primary care neuromusculoskeletal expert role throughout the DoD, with a report back to the House Armed Services Committee. The DoD's report to Congress supported the role of physical therapists as primary care neuromusculoskeletal experts and outlined efforts to increase the utilization of PTs in primary care roles through enterprise-wide implementation of the Defense Health Agency's Direct Access to PT initiative. DHA is running 13 additional direct access pilots in the next 18 months, with the goal of a department-wide rollout of PT direct access throughout the DHA by the end of 2025.

## **APTA Represented at Brain Injury Awareness Event on Capitol Hill**

The APTA Government Affairs team proudly represented the physical therapy profession at the 2024 Brain Injury Awareness Day on Capitol Hill. This event was hosted by Congressman Bill Pascrell Jr., D-N.J., and was joined by APTA and Academy of Neurologic Physical Therapy member Bradley Miller, PT, DPT, a board-certified neurologic clinical specialist. It was a day full of inspiration, meeting over 300 brain injury advocates and survivors and educating members of Congress and staff on the role of physical therapy in preventing and treating traumatic brain injuries.



## Telehealth Timeline Tested

Telehealth is quickly gaining more attention on Capitol Hill as more members of Congress are concerned that unless it acts before Dec. 31 of this year, millions of Medicare patients could lose coverage of a telehealth visit to the provider of their choice, including PTs. Just last month, APTA joined over 200 health care organizations in signing a letter to congressional leadership urging Congress to approve legislation to make the pandemic-era Medicare telehealth policies permanent before the end of this year. The letter specifically notes the importance of patient access to physical therapists via telehealth. Some senators, notably Sen. Mark Warner, D-Va., recently called for Congress to swiftly make telehealth flexibilities permanent.

The Expanded Telehealth Access Act (H.R. 3875/S.2880), the bill to make PTs and PTAs permanent authorized providers of telehealth under Medicare, has over 50 co-sponsors. APTA and our partner associations representing OTs, SLPs, and hospitals, will soon deliver a briefing to members of Congress and staff outlining why these telehealth

## Physical Therapy State Compact Gaining Support

APTA is also working with other medical provider groups to pass the States Handling Access to Reciprocity for Employment, or SHARE Act (H.R. 1310), which would change federal law to ensure that the FBI processes the necessary criminal background checks required for PTs to participate in the PT Compact. This measure is critical to enabling more PTs to quickly deliver physical therapist services in multiple states and alleviating medical provider shortages and patient backlogs. APTA recently joined over two dozen institutions in sending a letter to congressional leadership supporting the bill, which is endorsed by a broad coalition of medical groups and state medical licensing boards.

flexibilities are a vital tool for providers to care for their patients.

## **APTA-Backed Senate Resolution Focuses on 'Epidemic of Burnout' in Health Care**

In an APTA-supported resolution that points to "an epidemic of burnout" among U.S. health care workers, the U.S. Senate may be poised to officially back the creation of a Health Workforce Well-Being Day of Awareness. If adopted, the resolution would strengthen advocacy efforts by APTA and other provider organizations to reverse a burnout trend that began decades ago and was made worse during the coronavirus pandemic and its aftermath.

The [resolution](#), introduced by Sens. Tim Kaine, D-Va., and Roger Marshall, R-Kan., would position the Senate as a supporter of efforts to combat health care workforce burnout, including the establishment of March 18, 2024, as the first annual "Health Workforce Well-Being Day of Awareness." First forwarded by the National Academy of Medicine, or NAM, the day is intended to reinforce goals — also cited in the resolution — to mobilize action at the governmental, institutional, and facility levels; invest in more research; remove barriers to accessing mental health care; and engage effective tools and technology that reduce administrative burdens on health care professionals among other aims.

The resolution cites several national initiatives and reports as well as 2022 federal legislation aimed at reducing provider burnout, as foundational elements. The initiatives — all supported by APTA — include the [Lorna Breen Health Care Providers Protection Act](#) signed into law in 2022, an [advisory from the U.S. Surgeon General on health care worker burnout](#), and the [NAM plan for health workforce](#) well-being associated with the March 18 recognition day.

## **Have You Taken the Value Pledge?**

Launched with smashing success at APTA CSM in Boston, "The Economic Value of Physical Therapy in the United States" Value Pledge received over 2,000 commitments to continue raising awareness of the findings in APTA's "The Economic Value of Physical Therapy in the United States" study. If you missed the chance to take the pledge, [please check it out and join us in advocacy](#).

## **State Update**

### **State Affairs: March 2024 Insights**

2024 is proving to be a productive legislative year for APTA chapters as state legislatures across the nation continue to engage in the 2024 legislative season. Our

state chapters are making headway and supporting a diverse range of issues to advance the physical therapy profession. Here is a glimpse into the subjects that are at the forefront of our state-level advocacy efforts this season:

- Title protection for DPT.
- Administrative burden.
- Board consolidation/independent boards.
- Expanded direct access.
- PTs and disability placards.
- Dry needling.
- Fair PT copays.
- Ability of PTs to order imaging orders.
- Medicaid payment.
- PT Compact.
- Utilization management/prior authorization.

If you want to advocate at the state level, a good way to start is by supporting your local chapter. You can locate your state chapter's information on APTA's [Chapters and Sections](#) webpage. This is an excellent way to become engaged and make a difference. By joining your local chapter's advocacy efforts, you become part of a community working together to advance the physical therapy profession. Your voice matters and can help shape policies and bring positive changes to the profession! Recently, the State Affairs department participated in APTA South Carolina's Advocacy Day, which connected over 300 PTs, PTAs, and students of the profession with their legislators. We are now eagerly anticipating our engagement with APTA Minnesota on their Hill Day in mid-March to advocate on HF 729/SF 1322 (PT Compact) and HF 1995/SF 3338 (Modernizing Practice Act).

Additionally, check out the resources from APTA's report, "[The Economic Value of Physical Therapy in the United States.](#)" There, you can access the resources of this landmark report and gain insight into the policy changes that state-level policymakers can implement. This information is key to enhancing policy and payment structures to expand access to physical therapy services. With this knowledge, you can actively advocate for positive changes in your state.

Our department recognizes that we can only achieve our mission through ongoing conversation, collaboration, and partnership with our state chapters. If you have questions or require any assistance from the [State Affairs department, please email us.](#)

## **Regulatory Update**

After a lively APTA Combined Sections Meeting, it's back to business! Upon return to the office, APTA's Health Policy and Payment staff were informed that on Feb. 12, 2024, CMS abruptly [changed its research data request and access policies.](#) Starting Aug. 19, the agency will no longer allow external research partners to request physical data extracts if they are starting new projects, and for researchers with ongoing



investigations, the agency has tacked on thousands of dollars of new project renewal fees for continued access to physical copies of the data. This ill-timed shift in how researchers access Medicare and Medicaid claims data comes as a result of the agency's renewed data security concerns due to an increase in data breaches across health care systems. However, this sudden announcement has [perplexed the broader research community](#) because it runs directly against the Biden administration's repeated calls for more health data transparency and [claims from the Secretary of the Department of Health and Human Services](#) that "transparency is key to the Biden-Harris administration's effort to increase competitiveness and ensure that Medicare dollars are spent on first-rate health care."

Medicare and Medicaid claims data is a national resource that has been used in numerous high-impact studies. Unfortunately, this change has the potential to negatively impact many APTA members who are conducting valuable research that seeks to improve the health of Medicare beneficiaries and demonstrate the benefits of physical therapy services. By eliminating the option for researchers to access physical data extracts and increasing the cost for researchers who continue to request physical data for ongoing projects, the agency is reducing the number of researchers who can contribute to the research base, which could have a particularly harmful effect on disadvantaged institutions and junior researchers who do not have the grant funding to support the increase in fees.

In collaboration with other research stakeholders, APTA will provide feedback to CMS on these changes and encourage affected members to respond to the agency's [request for information](#), seeking comments from researchers in possession of physical data from CMS. The agency will be accepting comments on the RFI until March 29, 2024.

## **Grassroots Update**

### **APTA Capitol Hill Day Registration Closes March 22**

[Registration is closing soon for the 2024 APTA Capitol Hill Day](#) that will take place April 14-16 in Washington, D.C. Connect, advocate, and make an impact alongside fellow physical therapy professionals and students on Capitol Hill, and register before March 22. This event is for APTA members and provides an opportunity for you to share and [amplify your voice with legislators on Capitol Hill](#).

Participants will receive advocacy training starting the morning of April 15 at 8 a.m. ET, hear from expert speakers, attend specialized breakout sessions, and meet with others from your state to plan your strategy for Capitol Hill. Capitol Hill meetings will take place all day on April 16, and attendees are encouraged to book their return flights after 5 p.m.

Your participation matters. Don't miss this exceptional chance to be an advocate for our profession and those we serve. [Register for APTA Capitol Hill Day and be part of a movement that makes a difference.](#)

## **April Is National Advocacy Dinner Month**

PT and PTA students across the country are gathering to learn more about advocacy and how they can be involved throughout their careers. [National Advocacy Dinners](#), hosted by programs and students, typically include a short presentation about APTA advocacy, speakers, and a meal. If you or a program near you are interested in hosting a dinner of your own, resources will be continually added to the webpage, including a guide, a sample presentation with a script, and promotional materials. Let us know if your program is hosting a dinner by [submitting it through the form on the webpage!](#)

## **PTPAC Update**

### **The Latest From Inside Elections**

Inside Elections, by 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 and where they stand at this time.](#)

### **Can You Hoop? We'll Find Out at the PTPAC Party During Leadership Congress**

Support our efforts on Capitol Hill with your friends at PTPAC's evening event during Leadership Congress. This year, the event will take place at [The College Basketball Experience](#). The event will be on Monday, July 22, from 6-9 p.m. Tickets cost \$100 each and can be purchased when registration opens for the Leadership Congress. The ticket includes drinks and appetizers. All PTPAC Eagle club members receive one free ticket, but please 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.*