

## APTA Advocacy Network Newsletter — July 2022 Edition

APTA and its members continue to advocate on critical issues impacting the profession, as our summer advocacy kicked off in June with the [APTA Strategic Legislative Fly-In on Capitol Hill](#). This targeted fly-in brought 100 APTA member advocates to Washington, D.C., to meet with their members of Congress and urge action on Medicare payment, the APTA-supported [SMART Act](#), which addresses the PTA payment differential and supervision, administrative burden, and prior authorization under Medicare Advantage plans.

Also in June we saw a win for [physical therapists and PTAs who work in the U.S. Department of Veterans Affairs](#). APTA-supported report language was included in the proposed FY 2023 appropriations bill for the VA, which included report language urging the department "to examine how more competitive pay for physical therapists and physical therapist assistants can help with hiring and retention." Additionally, the lawmakers recommend that the department open its Health Professional Scholarship Program to PTs. The appropriations package will be put before the House and Senate later this year.

This summer the APTA-supported "[Optimizing Postpartum Outcomes Act](#)" (H.R. 8181) was introduced in the U.S. House of Representatives by Reps. Jaime Herrera Beutler, R-Wash., and Lisa Blunt Rochester, D-Del. The [bipartisan legislation](#) is aimed at expanding care and access under Medicaid to pelvic physical therapy for mothers in the postpartum period. Also in the House, the APTA-supported [Lymphedema Treatment Act](#) took a major step with the legislation [being passed](#) by the House Energy & Commerce Committee earlier this month.

Payment issues continue to be front and center, with the recent release of two major proposed payment rules from the Centers for Medicare and Medicaid Services: the proposed 2023 payment rule for Home Health, and the 2023 proposed rule for the Medicare Fee Schedule. Look for opportunities later this month to advocate on both proposed payment rules by submitting comments to CMS. With the release of the proposed 2023 Medicare Fee Schedule, all eyes turn to Capitol Hill and the need for Congress to once again intervene and provide additional funding to the 2023 fee schedule to prevent cuts to dozens of providers.

Looking ahead to August, APTA Key Contacts are gearing up for the congressional August Recess, an excellent opportunity to meet in-district with your members of Congress while they're home. Let us know if you are interested in setting up a meeting with your member of Congress during August Recess — APTA is here to assist you with tools and resources to make your meeting a success.

It may be the dog days of summer, but advocacy never takes a vacation. August promises to be a busy month with calls to action on submitting comments to CMS on proposed 2023 payment rules, in-district meetings, and clinic visits as part of August Recess, and ongoing advocacy aimed at Congress on a number of APTA priority bills. Thank you for your continued support and advocacy and thank you for being a member of APTA.

Justin Elliott, Vice President, Government Affairs

## **Federal Update**

### **Advocacy Podcast: Past and Current Harker Interns Talk Advocacy and Running for Office**

Need a podcast to listen to while you're on your summer road trip? Be sure to check out the recent [APTA podcast](#) featuring Chase Kuhn, PT, DPT, and Nate Thomas, PT, DPT, MBA. Chase is the 2021-2022 president of the APTA Student Assembly Board of Directors and was APTA's 2022 Harker intern in Government Affairs earlier this year; Nate is a former Harker intern and former APTA lobbyist who is [now running for a seat](#) in the Missouri legislature. They share their stories on how they got involved in advocacy for the physical therapy profession and the sparks that ignited it, as well as share information about how you can get involved, too.

### **Legislation Strengthening and Maintaining PT Workforce at the VA**

The House Appropriations Committee released its appropriations bills and accompanying report language on June 22, 2022. The report accompanying the Military Construction, Veterans Affairs, and Related Agencies Appropriations Bill 2022 contains a provision encouraging the VA to examine how competitive pay for PTs and PTAs can recruit and retain them, how the Health Professional Scholarship Program can be expanded to include PTs, and to develop a staffing plan on how to utilize PTs and PTAs within primary care, rural health, women's health, and other areas of the department. Ensuring a robust therapy workforce is critical to providing veterans an alternative to opioids for the prevention and treatment of chronic pain. PTs, who engage in an examination process that focuses on not only the symptoms of pain but also the movement

### **Pelvic Health Bill Introduced in House of Representatives**

Thanks to the work of APTA advocates and [APTA Pelvic Health Academy](#) members Kim Parker-Guerrero and Gail Zitterkopf, legislation addressing pelvic health physical therapy was introduced in the House of Representatives last week (H.R. 8181) by U.S. Reps. Jaime Herrera Beutler, R-Wash., and Lisa Blunt Rochester, D-Del. Pelvic health physical therapy is a vital part of recovery in the postpartum period. It can aid in muscle control, tissue repair, and help heal internal portions of cesarean section scars. However, many mothers lack access to and awareness of the benefits of pelvic health physical therapy. Even some health care providers may not understand the importance of pelvic health physical therapy in the postpartum period.

patterns that may be contributing to pain, are central to a multidisciplinary strategy in providing nonpharmacological treatment for pain.

The importance of the efforts highlighted in the above appropriations language cannot be overstated. As the largest single employer of PTs, ensuring the VA can continue to recruit and retain PTs is of the utmost importance — both for the profession and the patients in need of drug-free pain relief. APTA welcomes the inclusion of this language in the FY 2023 appropriations bill, hopes for its speedy passage, and looks forward to continuing to work with Congress and the VA to support our veterans and all Americans in need of physical therapist services.

This legislation is designed to address these knowledge and access gaps by providing guidance to state Medicaid and CHIP programs administering pelvic health services performed during the postpartum or neonatal period. It also authorizes programs to raise both provider and patient awareness of the importance of pelvic health examinations and pelvic health physical therapy.

The bill instructs CMS to, within one year of enactment, issue guidance on coverage under Medicaid and CHIP for pelvic health services performed during the postpartum or neonatal period. This guidance is to include best practices; recommendations for available financing options; technical assistance to state agencies regarding flexibilities relating to and incentives for screenings, referrals, and access to covered services; and suggested terminology and diagnosis codes.

The bill also instructs the Government Accountability Office to, within one year of enactment, conduct a study on pelvic health programs and submit a report to Congress. This report shall address gaps in coverage for covered pelvic health services for postpartum individuals and other services women who are postpartum received during their pregnancies. Take action on this bill by visiting the [Legislative Action Center](#).

## Regulatory Update

It's July and that means regulatory rules season is in full swing! APTA's regulatory staff have their hands full right now dealing with both the [2023 Home Health PPS Proposed Rule](#) and the [2023 Medicare Physician Fee Schedule](#), which clocking in at over 2,000 pages needed not [one](#), but [two](#) news stories.

The home health rule followed the anticipated trajectory we saw in the skilled nursing facilities rule; CMS is no longer accepting COVID-19 as an excuse for overpayment. CMS cited decreased utilization but increased payment as reason for its 4.2%

reduction in payment. Notably, CMS believes that home health agencies are billing CMS more than they would have, absent the change in payment models back in 2020. While CMS hesitated to make corrections last year due to the pandemic, it's clear they are no longer afraid to make big changes to post-acute care payment. APTA will be advocating for CMS to protect patients' access to therapy, as a pay cut only puts those services further at risk.

The 2023 Medicare Physician Fee Schedule includes similar reductions in payment but for very different reasons. Just as we saw last year, CMS is once again forced to reduce the conversion factor (the critical number that is multiplied against a CPT's RVU to determine actual payment amounts). For the past two years, Congress has responded to reductions in the conversion factor by appropriating last-minute funding to boost payment. However, each time Congress has acted, they have only authorized enough money for one year — meaning the CF automatically drops on Jan. 1. APTA will be advocating both to CMS and to Congress for permanent solutions.

Finally, get ready for a new strategy on regulatory advocacy. While historically APTA has encouraged members to submit comments to CMS by using our member template, this year we are really encouraging members to draft their own personal messages to CMS. Sending unique letters that tell your individual story has the potential to influence more than mere numbers alone. Not sure how to write a comment letter? Not a problem. APTA will be rolling out resources to help guide you through the process. But if you don't have time to draft your own letter, we will still have an easy option for you to participate in regulatory advocacy, just like we did in years past. Stay tuned to the [Regulatory Action Center](#) to keep up to date with the latest regulatory developments.

## **Grassroots Update**

### **August Recess: Not Just for Beating the Heat**

August Recess is an important time to meet with members of Congress in your district and educate them about physical therapy. This annual congressional break is where members of Congress return home to meet with their constituents and tour their district. APTA members are encouraged to take advantage of this time and meet with your members of Congress and their staff.

An effective activity during August Recess is to show your members of Congress what you do for your patients and host them at your practice or school. By hosting your lawmakers for a visit, you are showing them what you do and how you impact your patients. Many lawmakers may not know what physical therapy is. Showing them your work firsthand lets them know how you impact the lives of your patients and their constituents. Visits humanize the policy issue and shows how a policy would directly impact the people they represent.

Not only does the visit tangibly show what you do and how you serve the community, but you also establish a relationship with your legislator. Having constituent

relationships in the district are incredibly important in advancing legislation that will impact the future of the physical therapy profession. Legislator visits also generate good press for both the legislator and your clinic/school.

Interested in participating? Please reach out to Laura Keivel, Senior Specialist, Grassroots and Political Affairs at [laurakeivel@apta.org](mailto:laurakeivel@apta.org).

## PTPAC Update

### It's an Election Year! Party With PTPAC Overlooking D.C.

Support PTPAC with your friends at PTPAC's evening event during the APTA Leadership Congress. This year the event will take place on the rooftop of [The LINE Hotel](#). The event will be on Monday, Aug. 15, 7-9 p.m. Tickets cost \$50 each and [can be purchased here](#) when registering for Leadership Congress, or by calling 703-706-3163. The ticket includes drinks and appetizers. All PTPAC Eagle club members receive one free ticket, but you must contact Michael Matlack at [michaelmatlack@apta.org](mailto:michaelmatlack@apta.org) to reserve it.

***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.***

#### [Unsubscribe](#)

American Physical Therapy Association  
3030 Potomac Ave., Suite 100  
Alexandria, VA 22305