

April 9, 2024

The Honorable Brett Guthrie
Chair, Subcommittee on Health
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Anna Eshoo
Ranking Member, Subcommittee on Health
House Energy and Commerce Committee
2322A Rayburn House Office Building
Washington, DC 20515

The Honorable Cathy McMorris Rodgers
Chair
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
House Energy and Commerce Committee
2322A Rayburn House Office Building
Washington, DC 20515

***Re: House Energy & Commerce Committee Subcommittee on Health
Hearing: “Legislative Proposals to Support Patient Access to
Telehealth Services”***

Dear Chair Guthrie, Ranking Member Eshoo, Chair McMorris Rodgers, and Ranking Member Pallone:

The Rehabilitation Therapy Coalition, including ADVION (formerly known as the National Association for the Support of Long Term Care), the American Health Care Association/National Center for Assisted Living (AHCA/NCAL), the American Occupational Therapy Association (AOTA), the American Physical Therapy Association (APTA), the American Physical Therapy Association Private Practice Section, the Alliance for Physical Therapy Quality and Innovation (APTQI), the American Speech Language Hearing Association (ASHA), and the National Association of Rehabilitation Providers and Agencies (NARA), write to thank you for your inclusion of the ***Expanded Telehealth Access Act (H.R. 3875)*** and the ***Telehealth Modernization Act of 2024 (H.R. 7623)*** in the upcoming Energy and Commerce Subcommittee on Health’s hearing, “Legislative Proposals to Support Patient Access to Telehealth Services,” on April 10, 2024.

The Rehabilitation Therapy Coalition represents rehabilitation therapy practices and practitioners including physical therapists, physical therapy assistants, occupational therapists, occupational therapy assistants, speech-language pathologists, speech, language, and hearing scientists serving Medicare beneficiaries nationwide, students for all the aforementioned healthcare professions, as well as companies that provide physical, occupational, and speech-language pathology in long-term and post-acute care settings nationally. We jointly support the permanent continuation of the ability for rehabilitation therapists to utilize telehealth where appropriate to deliver services to Medicare patients.

i. Expanded Telehealth Access Act (H.R. 3875)

Telehealth waivers have expanded and maintained Medicare patient access to rehabilitation therapy beyond the COVID-19 Public Health Emergency (PHE) and now it's time to permanently extend Medicare coverage of telehealth for rehabilitation therapy. The ability to provide consistent rehabilitation therapy services for Medicare patients with medical conditions or geographic and economic barriers alongside in-person care has allowed Medicare patients to continue progress with their established short-term and long-term plan of care goals as well as prevent unnecessary hospital admissions and readmissions, emergency department visits, urgent care visits, and prevent exacerbation of chronic conditions. A growing body of [research](#) further supports that telerehab services offer similar outcomes with equal or better beneficiary satisfaction than wholly in-person care.

The Rehabilitation Therapy Coalition remains committed to ensuring Medicare beneficiaries can continue access to physical therapy (PT) services, speech-language pathology (SLP) services, and occupational therapy (OT) services provided either in-person or via telehealth based on the patient's needs and preferences and the clinician's professional judgment. The Coalition has endorsed the ***Expanded Telehealth Access Act (H.R. 3875)*** and is pleased to see that the bill is part of the upcoming Energy and Commerce Subcommittee on Health's hearing, "Legislative Proposals to Support Patient Access to Telehealth Services."

The *Expanded Telehealth Access Act (H.R. 3875/S. 2880)* would permanently add physical therapists (PTs), speech language pathologists (SLPs), occupational therapists (OTs), and rehabilitation therapy assistants as Medicare telehealth providers in statute which will allow them to continue providing rehabilitation therapy services to Medicare patients via telehealth, when appropriate. It is important to note that this bill will not expand the scope of practice of any of these practitioners, rather it will allow Medicare reimbursement for the provision of rehabilitation therapy services provided via telehealth. Passage of this bill is essential as the Centers for Medicare & Medicaid Services (CMS) has indicated that while it does have the authority to create telehealth CPT codes, and has done so already, CMS does not have the authority to list rehabilitation therapists as telehealth providers in Medicare after the waivers extended by Congress expire at the end of 2024.

ii. Telehealth Modernization Act (H.R. 7623)

The Rehabilitation Therapy Coalition also supports the ***Telehealth Modernization Act of 2024 (H.R. 7623)***, led by Representatives Earl "Buddy" Carter, Lisa Blunt Rochester, Gregory Steube, Terri Sewell, Mariannette Miller-Meeks, Debbie Dingell, Jefferson Van Drew, and Joseph Morelle, which is also included in the upcoming hearing, "Legislative Proposals to Support Patient Access to Telehealth Services."

A crucial provision in the *Telehealth Modernization Act* would remove the current sunset of December 31, 2024, on the inclusion of OTs, PTs, and SLPs as Medicare telehealth

providers. By removing the 2024 sunset, this legislation would allow all these providers to provide Medicare telehealth services permanently. Another crucial provision of the bill would end Medicare telehealth restrictions on both the “geographic and originating site,” permanently expanding access to telehealth for Medicare beneficiaries. **Additionally, it is critical that the expansion provisions make it clear that permanent inclusion of OT, PT, and SLP practitioners include both office-based and facility-based providers.**

iii. Conclusion

The Rehabilitation Therapy Coalition thanks you again for your inclusion of the ***Expanded Telehealth Access Act (H.R. 3875)*** and the ***Telehealth Modernization Act of 2024 (H.R. 7623)*** in the upcoming Energy and Commerce Subcommittee on Health hearing.

Both of these critical pieces of legislation will allow rehabilitation therapists to prevent delays in patient care and provide therapy to Medicare beneficiaries who otherwise may go without the treatment. While the country is experiencing a shortage of rehabilitation therapy providers, telehealth allows these essential healthcare services to be provided to patients in areas of the country where there are limited rehabilitation therapy providers available or coverage areas that are so wide that providers cannot reasonably travel the distances from site to site and provide the services.

We urge the Committee to support the advancement of ***H.R. 3875*** and ***H.R. 7623*** and are here to answer any questions you may have on our support for these bills. As the committee considers these bills, should you have further questions regarding supporting patients’ access to rehabilitation therapy through telehealth services, please contact Cynthia Morton with ADVION at cynthia@ADVIONadvocates.org.

Sincerely,

ADVION (formerly known as National Association for the Support of Long Term Care)

Alliance for Physical Therapy Quality and Innovation (APTQI)

American Health Care Association/National Center for Assisted Living (AHCA/NCAL)

American Occupational Therapy Association (AOTA)

American Physical Therapy Association (APTA)

American Physical Therapy Association - Private Practice Section

American Speech Language and Hearing Association (ASHA)

American Society of Hand Therapists (ASHT)

National Association of Rehabilitation Providers and Agencies (NARA)