



ASHA
American
Speech-Language-Hearing
Association

November 24, 2020

The Honorable Joseph R. Biden
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Mr. Biden:

On behalf of the American Speech-Language-Hearing Association (ASHA), I write to offer my congratulations regarding your election as President of the United States, and to share with you relevant health care and school-based policy considerations as your transition team begins its important work.

ASHA is the national professional, scientific, and credentialing association for 211,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students. Audiologists specialize in preventing and assessing hearing and balance disorders as well as providing audiologic treatment, including hearing aids. Speech-language pathologists identify, assess, and treat speech and language problems, including stuttering and swallowing disorders.

ASHA has identified the following policy considerations as immediate priorities for its members and the 40 million Americans who have a communication disorder.

Health Care Considerations

Enhancing Telehealth for Public Safety

The COVID-19 pandemic has prompted Congress and the Administration to reassess how services may be delivered safely and effectively to vulnerable Medicare beneficiaries and for people in rural and medically underserved areas. Telehealth has become a large part of the solution.

Unfortunately, while the Centers for Medicare & Medicaid Services (CMS) have lifted some restrictions, CMS has not fully used Section 3703 of the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136) to ensure that Medicare beneficiaries have access to telehealth services for the range of clinically appropriate hearing, speech, language, cognition, and swallowing services they need.

ASHA encourages your Administration to use its existing sub-regulatory authority to add additional audiology and speech-language pathology codes to the authorized telehealth services list for the duration of the COVID-19 public health emergency consistent with Congressional intent.

Avoiding Health Care Cuts During the Pandemic

Despite the devastating impact COVID-19 has had on health care providers, the Calendar Year 2021 Medicare Physician Fee Schedule (MPFS) final rule, that CMS just finalized, implemented misguided cuts to reimbursement of roughly 8% for Medicare Part B audiology and speech-language pathology services. These cuts will not just impact Medicare, but also the broader health care system since other public and private payers refer to the Medicare fee schedule when setting rates.

ASHA urges your Administration to immediately use its authority to stop the proposed cuts and work with Congress to provide at least a temporary pause—such as waiving budget neutrality for a specified period or authorizing relief payments to hold providers harmless from the impact of the cuts—until a longer-term solution can be developed in consultation with impacted provider groups.

Habilitation & Rehabilitation as Essential Health Benefits

The Affordable Care Act (ACA) mandated coverage of habilitative and rehabilitative services and devices. Americans needing habilitative services and devices rely on their health care coverage to keep, learn, or improve skills and function for activities of daily living so that they can live as independently as possible. Habilitation services and devices often lead to functional breakthroughs in ability and quality of life. Rehabilitative services and devices that help individuals recover from injury or illness have proven particularly important during the PHE for patients who have been weaned off ventilators or suffered communication impairments as a result of COVID-19 or COVID-19 related treatment. ASHA welcomes the opportunity to work with your Administration to ensure broad access to these essential health benefits for all Americans.

Reversing ACA Sabotage and Defending Health Care Protections for All

ASHA consistently opposed efforts by the Trump Administration to sabotage the ACA and reverse its key protections. ASHA welcomes the opportunity to work with your Administration to eliminate work requirements on Medicaid beneficiaries and limit the use of short-term limited duration (STLD) plans that result in under-insured Americans and restricted access to medically necessary audiology and speech-language pathology services. In addition, ASHA opposed the Trump Administration's revisions to Section 1557 of the ACA. ASHA fully supports health care protections for all, regardless of gender, gender identity, or sexual orientation. We look forward to supporting your Administration's efforts to build back better and ensure all Americans have the access to the audiology and speech-language pathology services they need.

School-Based Considerations

Funding for Safe Reopening of the Nation's Schools

Many of our nation's schools have inadequate ventilation systems, as well as other infrastructure concerns including adequate distancing and the use of partitions. Now, with COVID infection rates surging, states and local school districts are far less able to meet the health and safety requirements needed to reopen safely. Funds to support districts during the COVID pandemic have not been forthcoming or have been difficult to access leaving already strapped programs struggling to meet health and safety measures to reopen their schools.

ASHA supports at least \$105 billion for state and local education agencies and higher education institutions to address safety concerns including proper ventilation, adequate distancing and the use of partitions. Additionally, ASHA supports your call for the Centers for Disease Control and Prevention to provide specific evidence-based guidance for when to open or close schools and what steps they need to take to make classrooms and facilities safe.

Funding for the Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA) has been underfunded since its adoption in 1975. Congress has not lived up to its promise to fund 40% of IDEA's average per-pupil expenditure; currently funding less than 14%. State and local education agencies have struggled for years to meet the needs of students with disabilities. Additional

funds are required to support districts during the pandemic to ensure adequate funding is available for teachers and staff including educational audiologists and speech-language pathologists (SLPs) to fulfill their role in providing services that students are entitled to under IDEA.

ASHA urges your Administration to propose at least \$12.5 billion in dedicated funding for IDEA in future COVID-19 response legislation to ensure appropriate resources to provide direct and related services in a safe manner. In the long term, ASHA supports your commitment to fully fund the 40% federal share of IDEA.

Supporting Students Engaged in Virtual Learning

Many states and local school districts have not yet reopened schools, have selected a hybrid approach or have closed schools due to the resurgence of COVID infections. In those situations, students are continuing to be served through virtual learning formats and telehealth. During the pandemic, governors and licensing agencies have allowed greater flexibility to provide telehealth services to general and special education students. ASHA has long supported telehealth services provided by qualified professionals provided the quality of the service is the same as in-person services.

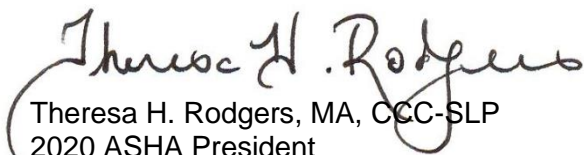
ASHA urges your Administration to support flexibility to provide telehealth services to students in virtual learning environments. The Administration should provide clear guidance from the Department of Education and the Centers for Medicare & Medicaid Services to states and communities on how to ensure continued access to telehealth services in school-based settings, whether through in-person or virtual learning.

In some cases, these programs have worked well when adequate technology, connectivity and family support is readily available for both educators and families. However, in other situations where disparities exist in access to adequate technology and connectivity, virtual learning formats experience challenges.

ASHA further recommends at least \$4 billion for an Emergency Connectivity Fund administered through the Federal Communications Commission's (FCC) E-rate program for greater broadband access and technology be considered to help reduce these disparities and ensure that all students succeed in virtual and hybrid learning formats.

We thank you for the consideration of these priorities, we look forward to engaging your Transition Team further in the coming weeks, and we look forward to partnering with you going forward. If you or your staff have any questions, please contact Jeffrey P. Regan, ASHA's Director of Government Affairs and Public Policy, at jregan@asha.org.

Sincerely,



Theresa H. Rodgers, MA, CCC-SLP
2020 ASHA President