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5/14/2008

The Honorable Joe Knollenberg
2349 Rayburn House Office Building
Washington, DC 20515-2211

Dear Congressman Knollenberg:

As a concerned constituent and a member of the American Physical Therapy Association, I am writing to urge you to take action to prevent the implementation of policies that would severely impact rehabilitation coverage for Medicare beneficiaries. On July 1, the current therapy cap exceptions process will expire. Physical therapists providing their care are also facing payment cuts of 10.1% due to the changes in the Medicare physician fee schedule.

I want to thank you for cosponsoring the Medicare Access to Rehabilitation Services Act of 2007 (S.450/H.R.748). This bill would repeal the financial limits on outpatient physical therapy, occupation therapy and speech language pathology services which originated back in the Balanced Budget Act (BBA) of 1997. These financial limits, or ?therapy caps? impose an annual limit of $1,810 per beneficiary for outpatient therapy services provided in all Part B practice settings except for those furnished in a hospital outpatient department.

Data has shown that the therapy caps impact Medicare beneficiaries who need rehabilitation services the most. Congress has recognized the potential harm in this policy and has passed moratoriums on its enforcement three times. Twice, Congress passed legislation allowing for exceptions for beneficiaries needing care above the financial limit to apply for additional medically necessary care ? but this expires July 1, 2008. I urge you to take action to provide a long term policy solution and pass legislation to remove the therapy cap and prevent harm to Medicare beneficiaries needing rehabilitation services.

The profession's ability to treat Medicare patients will also be severely limited if you allow cuts in payments under the 2008 Medicare physician fee schedule to go into effect as scheduled on July 1. The past two years Congress has blocked payment cuts determined by the flawed "sustainable growth rate" formula. While Congress froze 2006 and 2007 payments to prevent the cuts, the cost of providing patient care has increased. Now providers are again faced with the possibility of another 10% cut in 2008. The combined impact of these policies has hamstrung the ability of the profession to provide patient care to Medicare beneficiaries without going out of business.

I realize that Medicare needs to be reformed, but repealing the therapy cap to help patients who need care the most and preventing serious cuts to providers demand your immediate action to protect beneficiaries' access to care. Thank you again for cosponsoring HR 748/S.450 to repeal the therapy cap and I hope you will support legislation to prevent cuts in the 2008 physician fee schedule payments for physical therapists. Thank you.

Sincerely,

Andrew Robb Aikens