

June 24, 2006

The Honorable Bill Frist, MD
Majority Leader, United States Senate
509 Senate Hart Office Building
Washington DC 20510

The Honorable Charles E. Grassley
Chairman, Senate Finance Committee
135 Senate Hart Office Building
Washington DC 20510

The Honorable J. Dennis Hastert
Speaker
United States House of Representatives
H-232 Capitol Building
Washington DC 20515-6501

The Honorable William M. Thomas
Chairman
House Committee on Ways and Means
2208 Rayburn House Office Building
Washington DC 20515

The Honorable Joe Barton
Chairman
House Committee on Energy and Commerce
2109 Rayburn House Office Building
Washington DC 20515

Dear Congressional Leaders:

On behalf of the undersigned patient, provider, and health care industry organizations, we write to request your full consideration of the need for passage of legislation in 2006 to address the Medicare outpatient therapy caps. In the 109th Congress, legislation to repeal the caps has gained the support of more than 40 Members of the United States Senate and more than 250 Members of the United States House of Representatives. If Congress fails to act this year, the arbitrary therapy caps will return on January 1, 2007, and will result in restricted access to rehabilitation services and a shift in patients and costs to inpatient settings.

As you know, these caps were placed on outpatient physical therapy, occupational therapy, and speech language pathology services as part of the Balanced Budget Act of 1997. Since this time, Congress has acted three times to place a moratorium on the therapy caps. These caps went back into effect on January 1, 2006. Fortunately, under your leadership, Congress passed legislation as part of the Deficit Reduction Act of 2005 that provided beneficiaries with a clinically based exceptions process to this financial limitation on rehabilitation services under Medicare. The exceptions process appears to be working well to ensure appropriate access to needed rehabilitation services in a fiscally responsible manner.

Since the Deficit Reduction Act authorized the exceptions process only for 2006, we respectfully request an extension of this exceptions process for no less than 2 additional years. This will allow the Centers for Medicare and Medicaid Services to continue to monitor the implementation of this policy and assist in the development of a long-term alternative to the therapy cap. We appreciate your consideration of this request to extend the exceptions process beyond 2006 for a minimum of 2007 and 2008.

Sincerely,

American Academy of Neurology
American Academy of Physical Medicine and Rehabilitation (AAPMR)
Alzheimer's Association
American Association of Homes & Services for the Aging

American Association on Mental Retardation
American Dance Therapy Association
American Health Care Association (AHCA)
American Heart Association/American Stroke Association (AHA/ASA)
American Medical Directors Association
American Medical Rehabilitation Providers Association (AMRPA)
American Music Therapy Association
American Network of Community Options and Resources (ANCOR)
American Nurses Association
American Occupational Therapy Association (AOTA)
American Physical Therapy Association (APTA)
American Speech-Language and Hearing Association (ASHA)
American Therapeutic Recreation Association (ATRA)
Amputee Coalition of America
Arthritis Foundation
Brain Injury Association of America (BIAA)
Catholic Health Association of the United States
Center for Medicare Advocacy, Inc.
Christopher Reeve Foundation
Easter Seals
HealthSouth
National Association for the Support of Long Term Care (NASL)
National Association of Councils on Developmental Disabilities (NACDD)
National Association of Directors of Nursing Administration/LTC, Inc.
National Association of Rehabilitation Providers and Agencies (NARA)
National Association of Social Workers
National Association of State Head Injury Administrators
National Council for Community Behavioral Healthcare
National Disability Rights Network (NDRN)
National Multiple Sclerosis Society
National Rehabilitation Association
National Rural Health Association (NRHA)
National Stroke Association
Parkinson's Action Network
Power Mobility Coalition
The Arc of the United States
United Cerebral Palsy
United Spinal Association

Cc: Lead Sponsors of the Medicare Access to Rehabilitation Services Act
(S. 438 & HR 916)

Senator John Ensign
Senator Blanche Lincoln
Congressman Phil English
Majority Whip Roy Blunt
Congressman Ben Cardin
Congressman Frank Pallone