



# FAL Briefing Memo

October 2021

## Capitol Hill

- On October 20 a Senate companion bill to H.R. 3173, the Improving Seniors' Timely Access to Care Act (S. 3018), which addresses prior authorization under Medicare Advantage, was introduced in the U.S. Senate by Senators Roger Marshall, M.D. (R-KS), Krysten Sinema (D-AZ), and John Thune (R-SD) The bipartisan APTA-supported legislation would help improve efficiency, transparency, and accountability of the prior authorization process in Medicare Advantage plans.
- On October 6 a bipartisan majority of the U.S. House of Representatives, led by Rep. Ami Bera (D-CA) and Rep. Larry Bucshon (R-IN) sent a letter to House leadership urging action to address [proposed cuts to Medicare payment](#) that would affect a wide swath of providers, including PTs. The letter to House Speaker Nancy Pelosi (D-CA) and minority leader Kevin McCarthy (R-CA) was signed by 247 members of the 435-member House. The letter urges action to avert a payment cut proposed by the Centers for Medicare and Medicaid Services that, combined with other statutorily required cuts, could drop provider payments under the fee schedule in 2022, including an estimated 3.5% for physical therapy. ([This article](#) provides details on the origins of the cut and what APTA is doing to fight it.).
- On October 8 the [Stabilizing Medicare Access to Rehabilitation and Therapy Act](#), or SMART Act (H.R. 5536), was introduced by Reps. Bobby Rush (D-IL) and Jason Smith (R-MO) in the U.S. House. (Read the [press release](#) issued from Rep. Bobby Rush's office.) If signed into law the APTA-supported legislation would delay implementation of the payment differential until Jan. 1, 2023 and provide an exemption to the differential for rural and underserved areas. The proposed legislation would also institute a change long-advocated by APTA: allowing for general supervision of PTAs in outpatient settings under Medicare Part B. Along with APTA, the legislation has been endorsed by a number of other provider and patient groups, which expressed their gratitude in a [recent letter](#) of support to the bill's sponsors.
- On September 24 the [Primary Health Services Enhancement Act](#) (H.R. 5365), bipartisan legislation that would elevate the status of PTs in community health centers by, among other measures, allowing them to bill independently for services billed to Medicare and Medicaid was introduced in the U.S. House. The APTA-supported bill was introduced by Rep. Ron Kind (D-WI), Rep. Jackie Walorski (R-IN), Diana DeGette (D-CO), and Don Bacon (R-NE). A [news release](#) published by Kind's office characterizes the bill as a move to respond to the needs of patients in rural areas who often receive care through community health centers.

## Federal Agencies

- The U.S. Department of Education announced a number of reforms to the Public Service Loan Forgiveness Program (PSLF). The PSLF was originally designed to provide debt relief for a range of jobs considered public service — including some roles as physical therapists and physical therapist assistants. Under PSLF, qualifying individuals receive loan forgiveness on the remaining balance of Direct Loans after making 120 qualifying monthly payments. The fixes include an overhaul of disqualification rules, a reconsideration of what kinds of payments and services count toward forgiveness, and an expansion of the types of loans that count toward forgiveness. The changes will be rolled out in the coming months. Detailed information on the revamped program, as well as guidance on qualifying for PSLF relief are [available on the program's website](#).