



August 2, 2024

The Honorable Diana DeGette
United States House of Representatives
2111 Rayburn House Office Building
Washington, DC 20515

The Honorable Larry Bucshon, M.D.
United States House of Representatives
2313 Rayburn House Office Building
Washington, DC 20515

Dear Representatives DeGette and Bucshon:

On behalf of the almost 4,000 members of APTA Private Practice, a section of the more than 100,000-member American Physical Therapy Association (APTA), we thank you for the opportunity to submit information and provide feedback on the direction of the original 21st Century Cures Act. We appreciate all the work that has gone into this legislation and the subsequent Cures 2.0 Act, as well as your advocacy on pressing these important issues represented in the legislation with Federal government agencies.

In the 21st Century Cures Act, we were pleased to see a provision included in *Section 16006, Allowing physical therapists to utilize locum tenens arrangements under Medicare*. This policy allows a Medicare-enrolled physical therapist to use a substitute physical therapist to furnish outpatient physical therapy services in a health professional shortage area (HPSA), medically underserved area (MUA) or rural area. This was a huge relief for physical therapists across the country needing to utilize this common practice for health care providers and a win for continued access to care for patients, especially those with chronic conditions that need continued access to physical therapy. Medicare recipients must be treated consistently and efficiently to prevent regression. Patients who experience regression may need more care, resulting in increased expenses and an unnecessary barrier to patient care.

Initial data from the Centers for Medicare and Medicaid Services (CMS) indicates that in the first year of the provision's implementation, CY 2018, there were 219 physical therapists in private practice who billed substitute services with 2,465 beneficiaries receiving these services.

APTA Private Practice

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The necessity to employ locum tenens to avoid care interruptions currently depends on the number of credentialed therapists at a particular private practice physical therapy clinic and its Medicare patient demographics, rather than the clinic's geographic location. Smaller clinics often cannot rearrange the schedules of their available therapists to accommodate their entire Medicare beneficiary caseload, leading to delays in care and interruptions in the business's revenue stream.

APTA Private Practice remains concerned that the benefits of locum tenens to continue access to care for patients with chronic conditions is not being fully realized without allowing access of the arrangement to all physical therapists regardless of their geographic location. The bipartisan legislation, the Prevent Interruptions in Physical Therapy Act (H.R. 1617/S.793) would correct this issue and should be considered for inclusion in any next iteration of 21st Century Cures legislation.

We stand ready to work with you as you work to further this area and address the needs of the patients we serve in managing their chronic conditions through the use of physical therapy.

Sincerely,

A handwritten signature in black ink that reads "Mike Horsfield". The signature is written in a cursive, flowing style.

Mike Horsfield PT, MPT, MBA
President