

SAMPLE LETTER:

(SUBJECT LINE): Please support change to therapy-incident to legislation Dear (Senator/Representative): I am a constituent and a certified athletic trainer who is a member of the National Athletic Trainers' Association (NATA). I respectfully request your personal support for a legislative change to an unauthorized policy by the Centers for Medicare and Medicaid Services that now restricts who can provide physical medicine and rehabilitation services. Athletic trainers and others are qualified, capable and willing to provide these services, referred to as "therapy-incident to." This legislation has nothing to do with therapy caps and physical therapy direct access legislation.

NATA and the other 22 members of the Coalition to Preserve Patient Access to Physical Medicine and Rehabilitation Services are asking Congress to reverse this ill conceived CMS rule that harms seniors, including breast cancer survivors, disabled veterans, blind and low vision patients and those at risk for falls and the serious musculoskeletal problems that result. In athletic training therapy alone, we estimate that 600,000 medically necessary therapy sessions to Medicare beneficiaries are going unmet because of this CMS rule. Athletic trainers and other therapists in the Coalition are nationally certified and licensed in most states. In other words, we are qualified to provide therapy services! Perhaps most important, when we provide medical services to Medicare beneficiaries, we do so under the direction of a physician. This is contrary to misinformation being spread by some other groups about athletic trainers and other therapists in the Coalition to Preserve Patient Access to Physical Medicine and Rehabilitation Services. ([www.coalitiontopreservepatientaccess.org](http://www.coalitiontopreservepatientaccess.org) <<http://www.coalitiontopreservepatientaccess.org/>>). CMS abruptly changed its rules in 2004 after letting state law and physician judgment make the determination of who is "qualified" to provide therapy "incident to." This significantly changes how physicians deliver physical medicine and rehabilitation care and who they can hire.

This was a capricious and arbitrary change by CMS, which has offered no studies to support this change.

This rule reduces the already limited number of allied health care professionals delivering this care. There is a severe shortage of therapists, and this rule only makes the problem worse. The job loss now and in the future is significant: about 1,000 athletic trainers and 1,300 lymphedema therapists have already lost their jobs. For lymphedema and cancer patients, this represents more than one-third (1/3) of the lymphedema therapy workforce. Many more reductions in staffing are expected.

Contact Bill Finerfrock at 202.544.1880 or [bf@capitolassociates.com](mailto:bf@capitolassociates.com) for information on pending legislation and how you can support the needs of Medicare patients. As a constituent, I will appreciate your active support of this effort. I will follow-up with you in a few days.

Sincerely,

(your name, home address, phone and e-mail)