

August 21, 1999

Dear Colleague:

As you know, the new annual payment cap on rehabilitation speech-language services and physical therapy enacted as part of the Balanced Budget Amendment of 1997 went into effect January 1, 1999. Shortly after the changes went into effect, we began to hear from you, our members, about the myriad of ways this cap was affecting patient care. We have heard that patients are refusing treatment for fear of exhausting their cap, sometimes waiting until hospitalization is the only option. We have heard how the cap is reducing medically-needed treatment and forcing patients to seek treatment in more expensive hospital outpatient settings. We have heard how this ill-advised policy, coupled with reductions in reimbursement from the new Medicare PPS, is causing some facilities to cut back on treatment staff hours and positions, bringing about income or job loss for many of our members. We are earnestly working to remedy the problems the cap has caused, but we need your help.

### **Current Activities to Remedy the Cap**

ASHA has been instrumental in introducing and gathering support for the Medicare Rehabilitation Benefit Improvement Act of 1999 in Congress. Senate Bill 472 and its companion bill, House Resolution 1837, would permit access to medically needed outpatient rehabilitation treatment by establishing an exception process for patients who exceed the \$1500 cap. These bills are our best hope for getting relief from the constraints placed on treatment by the \$1500 cap this year.

Thanks to the hundreds of ASHA member calls and letters 53 Senators have agreed to co-sponsor S. 472! This is a significant achievement that will help bring this matter to a vote in the Senate. But we now urgently need to focus on the House, especially Republican leaders, to gain co-sponsors for H.R. 1837.

### **Call to Action**

You can help by asking your U.S. Representative to co-sponsor H.R. 1837 and share your concerns about the affect the shared \$1500 cap is having on the quality of care that Medicare beneficiaries receive. To help you with your outreach efforts, we have enclosed advocacy materials for your use in conjunction with ASHA's media campaign on the \$1500 cap. On August 26<sup>th</sup>, advertisements to raise support for H.R. 1837 will appear in newspapers in the home districts of key members of the House of Representatives, including the Chicago Tribune, Miami Herald, Los Angeles Times, Bakersfield Californian, and the Tampa Tribune. In addition, radio spots will air on selected stations in the targeted congressional districts.

Enclosed you will find the following:

- **A sample of a letter to your U.S. Representative and a list of sponsors and co-sponsors for each bill** – if your Representative isn't a co-sponsor of this legislation, urge him or her to become one. If your Representative is already a cosponsor, thank him or her for supporting the legislation.
- **Sample op-eds and letters to the editor** – for you to send to your local newspapers under your signature so that your legislators can see how this issue is affecting their constituents.
- **A fax-back sheet** – if you do get your letter printed in the newspaper, please fax a copy of the clipping back to us with the fax-back sheet.
- **An issue summary and talking points** – a brief outline of the effects of the changes contained in the Balanced Budget Act of 1997 and messages to guide you in talking to legislators.

U.S. Representatives will be working in their home district office on recess until September 7<sup>th</sup>. **Please write, call and visit your Representative while they are home until the end of August or when they return to Washington in early September.** When you do, tell them how this cap has affected your ability to provide proper treatment to your patients. Tell them that including speech-language therapy and physical therapy under the same cap compromises the quality of care in both disciplines for Medicare beneficiaries. Urge them to pass H.R. 1837 to rectify the problems caused by this arbitrary cap.

Please feel free to contact ASHA's Action Center at 800-498-2071 to obtain information about your U.S. Representative and with any questions you may have about the legislation or the information contained in this packet.

Thank you for your help on this important and time sensitive issue.

Sincerely,



Donna Geffner, PhD, CCC-A/SLP  
President