



March 2, 2021

The Honorable Ron Wyden
Chairman
Senate Finance Committee
Washington, DC 20510

The Honorable Mike Crapo
Ranking Member
Senate Finance Committee
Washington, DC 20510

Dear Chairman Wyden and Ranking Member Crapo:

The American Occupational Therapy Association, the American Speech-Language-Hearing Association, and the American Physical Therapy Association are writing to express our support for the confirmation of Xavier Becerra as the U.S. Secretary of Health and Human Services.

During his 12 terms in Congress and as a member of the House Ways and Means Committee, Attorney General Becerra spent much of his time working on health care issues, including ensuring Medicare beneficiaries have access to care. In 1997, Congress passed the Balanced Budget Act, which led to the creation of the Medicare therapy cap that set limits on reimbursement for outpatient physical therapy, occupational therapy, and speech-language pathology services. The therapy cap was intended as a temporary solution to control Medicare costs but instead acted as a barrier to care for a wide spectrum of Medicare beneficiaries needing rehabilitation services, from patients who were recovering from a stroke or traumatic brain injury, to those suffering from chronic conditions. The cap also created an administrative burden that led to disruptions in patient care and stress for patients.

While in Congress, Attorney General Becerra championed the elimination of this arbitrary cap through his sponsorship of the Medicare Access to Rehabilitation Services Act. Thanks to his leadership, Congress eventually eliminated the hard caps on therapy services as part of the Balanced Budget Act of 2018, ensuring Medicare beneficiaries have access to medically necessary therapy services and preventing disruptions in the continuum of care.

Attorney General Becerra also worked tirelessly to identify and support appropriate Medicare payment for health care services and specifically to avoid arbitrary payment cuts resulting from the flawed Sustainable Growth Rate Formula (SGR). His support for the Medicare Access and CHIP Reauthorization Act of 2015 (MACRA) eliminated the SGR and established a more solid foundation for Medicare payments to enrolled providers.

Finally, as a U.S. representative and Attorney General of California, Mr. Becerra has supported the Affordable Care Act's (ACA's) inclusion of essential health benefits such as habilitative and rehabilitative services and devices, which are vital to individuals in need of therapy services. The essential health benefits, defined in Section 1302 of the ACA, help ensure that Americans have access to comprehensive health insurance, leading to improved health outcomes and ability to participate in their communities.

We look forward to Mr. Becerra's continued leadership to ensure access to occupational therapy, physical therapy, and speech-language pathology services and support the confirmation of Attorney General Xavier Becerra to lead the U. S. Department of Health and Human Services as the country continues to address the array of challenges the pandemic presents. Thank you for your consideration.

Sincerely,



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