



# FAL Briefing Memo

October 2022

## U.S. Congress

**2023 Medicare Fee Schedule:** On September 13, 2022, the "Supporting Medicare Providers Act of 2022" (H.R. 8800), was introduced in the U.S. House of Representatives by Reps. Ami Bera, D-Calif., and Larry Bucshon, R-Ind. The bipartisan bill would provide a 4.42% increase to funding in the 2023 Physician Fee Schedule proposed by the U.S. Centers for Medicare & Medicaid Services. If adopted, the legislation would once again provide relief from Medicare cuts that APTA and other organizations say will severely damage patient access to needed care. The bill includes so-called "sense of the Congress" language stating that the Secretary of the U.S. Department of Health and Human Services and Congress should take action to ensure the financial stability and predictability of Medicare payment, reward value-based care, safeguard timely access to high-quality care, and reduce disparities.

## Federal Agencies

**Department of Education:** APTA, along with other disability and rehabilitation stakeholders, signed on to a comment letter led by the Consortium for Constituents with Disabilities (CCD), of which APTA is long-time member. The letter was written in response to the proposed rule regarding Title IX. Marking the 50th anniversary of Title IX, the Department of Education published the proposed rule to collect stakeholder feedback on how to further its efforts to protect girls and women from sex-based discrimination. CCD's letter highlights the disparities faced by people with disabilities who are often more likely to experience sexual violence than the general population.

**Department Health & Human Services:** APTA, along with other patient and provider stakeholders, signed on to comment letter led by the Consortium for Constituents with Disabilities (CCD) on the Department of Health and Human Services' proposed rule on Section 1557 of the Affordable Care Act. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs and activities. This rule is reinstating provisions that CCD and APTA supported in the 2016 rule, including clear protections of people with disabilities who hold other marginalized identities. APTA also joined in a letter as part of the Independence Through Enhancement of Medicare and Medicaid (ITEM) Coalition to HHS on the same proposed rule that focused on provisions in the proposed rule regarding devices used in the health care setting by individuals with disabilities.

**Department of Transportation's Federal Motor Carrier Safety Administration:** APTA submitted comments on FMCSA's draft manual for medical examiners. In collaboration with the Academy of Orthopaedic Physical Therapy and the Occupational Health SIG, APTA reviewed the manual and submitted comments highlighting the importance of including specific measures of function in the manual, the skills and training PTs possess that make them well qualified to conduct these examinations and the need for better guidance to medical examiners on when they should refer an examinee to a physical therapist.

## Member Engagement & Events

- On September 29, 2022, APTA State Affairs hosted a webinar for component state legislative chairs, leaders, and chapter lobbyists on Medicaid advocacy at the state level. Speakers included Tajah “Taj” Franklin (APTA State Affairs Specialist), Kate Gillard, JD (Director of Health Policy & Payment), Maria Jones, PT, PhD (Director of Advocacy for APTA Academy of Pediatric Physical Therapy), Lynn Steffes, PT, DPT (Payment Chair for APTA Wisconsin), and Durga Shah, PT, DPT (Payment Policy and advocacy Liaison for APTA Pediatrics). View the webinar by clicking [HERE](#) Use passcode: **APTAsg@1**
- PT-PAC will attend and exhibit at the Education Leadership Conference in Milwaukee, WI from October 27-29, 2022.
- The next APTA Payment & Regulatory webinar series is scheduled for Wednesday, November 30, 2022, at 2:00 pm EST. Additional information and registration located [HERE](#).

## APTA Articles of Interest

- [Roundup | APTA Advocacy Roundup: What's Been Passed by Congress, What's Still on the Table | APTA](#)
- [Resource | APTA Diversity, Equity, and Inclusion Infographic | APTA](#)
- [Advocacy Perspective | Clockwise from upper left: John Tawfik, PT, DPT; Mallory Gagliano-Barnhart, PT, DPT; Rep. Susan Wild, D-Penn.; Jed Ober, aide to Rep. Wild | APTA](#)
- [Article | The Proposed 2023 Fee Schedule: 5 Major Takeaways From APTA's Comments to CMS | APTA](#)
- [News | APTA Consumer Awareness Research Report Shows Deepening Knowledge of Physical Therapy | APTA](#)
- [News | Potential Fee Schedule Reprieve Introduced in U.S. House | APTA](#)