

Federal Affairs Update

- The Improving Social Determinants of Health Act of 2021 (S. 104/H.R. 379) would create a SDOH program at CDC, including grants to states for a public health approach to SDOH. A fact sheet to the bill, which includes a list of endorsing organizations, can be found at: <https://www.tfah.org/wp-content/uploads/2020/08/SDOH-bill-fact-sheet.pdf>
- The Public Health Infrastructure Saves Lives Act (S. 674) would establish a Core Public Health Infrastructure Program at the Centers for Disease Control and Prevention (CDC), awarding grants to state, local, tribal and territorial health departments to ensure they have the tools, workforce, and systems in place to address existing and emerging health threats and reduce health disparities. A fact sheet to the bill, which includes a list of endorsing organizations, can be found: <https://www.tfah.org/wp-content/uploads/2021/04/Public-Health-Infrastructure-Fact-Sheet.pdf>
- Rep. Ron Kind (D-WI) and Rep. David McKinley (R-WV) have introduced the Physical Activity Recommendations for American Acts (H.R. 2094) that would ensure that the Physical Activity Guidelines for Americans are revised and updated regularly to provide the most up-to-date information. A senate companion is expected to be introduced by Senators Sherrod Brown (D-OH) and Roger Wicker (R-MS) in the near future.
- The Lymphedema Treatment Act (S. 1315) introduced by Sen. Maria Cantwell would require Medicare to cover compression supplies used daily in lymphedema treatment. Resources at: LymphedemaTreatmentAct.org
- Home Health Emergency Access to Telehealth (HEAT) Act, (S. 1309) introduced by Sen Collins and Sen Cardin would provide Medicare reimbursement for audio and video telehealth services furnished by home health agencies during the COVID-19 emergency and future public health emergencies.
 - o The services would not be reimbursed unless the beneficiary consents to receiving the services via telehealth.
 - o To ensure that the Medicare home health benefit does not become a telehealth-only benefit, Medicare reimbursement would only be provided if the telehealth services constitute no more than half of the billable visits made during the 30-day payment period.
- Telehealth Hearing in House Ways & Means Committee. Check out the telehealth hearing on YouTube here: <https://www.youtube.com/watch?v=tmr6n7tUZnM>
- H.R. 2168 Expanded Telehealth Access Act cosponsor update: 23 (12 D's/11 R's)

Regulatory Update

- Its RULES SEASON – expect rules regarding Physician Fee Schedule, inpatient hospitals, outpatient hospitals, the Affordable Care Act, Home Health, DMEPOS, Medicare Advantage, coming soon
- APTA nominated Melina Rodrigues Upton to Veterans Affairs advisory committee on minority affairs
- APTA submitted comments on the HCBS Access Act, asking for increased coverage for telehealth and falls prevention in HCBS
- Check out APTA's new resource on Wellness Programs – There are thousands of wellness programs offered by employers and insurance companies in the US, and APTA wants PT to be a part of them. We created this resource to help us (AND YOU!) advocate to payers on why PT should be a benefit in any wellness program: Free Learning Center course: <https://learningcenter.apta.org/student/mycourse.aspx?id=08a71a69-625f-472e-b508-f842d199d805>
- Opportunities for Comments/Engagement
 - o FY 2022 IRF Rule provides a 2.2% increase (\$160 million) in payment, COVID-19-related changes, and efforts to promote health equity. (Comments due Oct. 1)
 - o FY 2022 SNF Rule provides a \$444 million increase in payment, but CMS is seeking comment on how to correct for a 5% (\$1.7 billion) increase in payment in 2020 due to implementation of PDP, despite a decrease in individual therapy minutes. (Comments due Oct. 1)
 - o HIPAA proposed rule: HHS proposing significant changes to HIPAA that make it easier to share data (Comments due May 6)
 - APTA submitted comments to the HIPAA proposed rule on April 29. Among other things, APTA requested that OCR stipulate in the final rule that covered entities may, at their discretion, apply conditions, processes, or limitations when affording individuals access to inspect their PHI. APTA also requested that OCR provide guidance and clarification regarding the access to ePHI for providers who are not yet using certified electronic

health records. Lastly, APTA supported OCR's proposal to expressly permit covered entities to disclose PHI to social services agencies, community-based organizations, home and community-based providers, or similar third parties that provide or coordinate health-related services that are needed for an individual's care coordination and case management.

- o VA criteria for developing recommendations for future of veterans' health care RFI (Comments due May 1)
 - APTA submitted comments to the VA RFI on April 29. Among other things, APTA recommended that VA consider how it may incentivize more community-based PTs and PTAs to partner with VA in the future; requested that VA permanently allow Community Care Network PTs, PTAs, and facility-based therapy providers to furnish and bill telehealth; strongly encouraged VA to formally recognize PTs as primary care service providers for the purposes of ensuring early access; and welcomes the opportunity to support VA's efforts to establish a national standard of practice for physical therapy. We strongly recommended that VA adopt a national standard that allows PTs and PTAs to practice to the full extent of their education, training, licensure, and certification, regardless of state restrictions that limit full practice authority.
- o Visit Regulatory Action Center: <https://www.apta.org/advocacy/take-action/regulatory>

Grassroots Update

- Check out the 2021 National Advocacy Dinner on May 4 at 8:00 p.m. ET. This student-led, annual event is to introduce students to advocacy and how they can participate throughout their career. Visit the FAL Hub for promotional materials and visit our [website here to learn more](#). The goal of this event is to encourage students to join the APTA Advocacy Network.
- Check out the APTA Podcast page (member sign in required) <https://www.apta.org/apta-and-you/news-publications/podcasts> or visit the public APTA Apple Podcast page: <https://podcasts.apple.com/us/podcast/apta-podcasts/id1245783895>

PTPAC Update

- Ten-year apportionment announcement due to updated census
- TX gains two seats
 - o CO, FL, MT, NC, and OR one seat each
 - o CA, IL, MI, NY, OH, PA, and WV lose one seat
 - o Apportionment Release was four months overdue
 - o States won't receive their data until Sept. 30 at the earliest
 - o Difficult time restraint to complete remapping before the 2022 primary season begins
 - o Postponement of primaries possible (IL, TX)