

NYSOTA Talking Points

New York State Occupational Therapy Association

Medicaid Therapy Visit Limit Override A.4846 by Assembly Member Barrett S.2541 by Senator Comrie

In 2011 the Medicaid Redesign Team changed Medicaid coverage for rehabilitation by setting an arbitrary limit of 20 visits a year for occupational therapy, physical, and speech therapy.

We see this as bad health care policy because it does not take into account patients with more severe diagnoses, co-morbidities, or patients with more than one episode of illness in a year.

Patients with strokes, spinal cord injury, burns and other severe disabling conditions need rehabilitation that exceed a 20-visit limit.

Medicaid recipients with severe disabilities are cut off of therapy before treatment is completed.

Many of these patients will end up in long-term care institutions where additional Medicaid costs will be even higher.

In 2012 the legislature provided an exemption for patients with traumatic brain injury. But this is a bad approach to the problem because there are other diagnoses and cases that need more than 20 visits.

Last year the Governor increased the limit for physical therapy to 40 visits.

A much fairer way of managing the expenses of rehabilitation services is to use an exceptions process or an appeals process.

Up until recently, Medicare Part B had a financial cap on out-patient therapies. In order to protect the welfare of Medicare recipients Congress allowed an exceptions process in which the treating therapists and physician could submit documentation and a request for an exception to the cap. The exceptions requests were allowed when an individual case warrants an extension of rehabilitation in order to complete recovery.

I/We recognize that health care spending must be brought under control and we support those efforts but we also believe that that goal can be achieved without causing harm to disabled Medicaid patients.

A.4846 by Assembly Member Barrett (S.2541 by Senator Comrie) provides a reasonable process for overriding an arbitrary visit limit when the treating providers attest to the medical necessity of completing therapy.

I urge you to support this legislation.