The Medicare Access to Rehabilitation Services Act
H.R. 748/S. 450

**Position:** The National Multiple Sclerosis Society supports the Medicare Access to Rehabilitation Services Act (H.R. 748/S. 450) as introduced by Congressman Xavier Becerra (CA) and Senator John Ensign (NV). The bill seeks to fully repeal Medicare's limit, or cap, on reimbursement for physical therapy and other therapy services. Failure to repeal the therapy cap will have a disproportionate impact on Medicare beneficiaries who need therapy simply to maintain their mobility and independence. People living with MS use many types of therapy services to maintain their quality of life and remain active in the community.

**Background:** The Medicare therapy cap is an arbitrary limit placed on rehabilitation services covered by Medicare in all outpatient rehabilitation settings except hospital outpatient departments. The cap applies to physical therapy (PT), speech language pathology, and occupational therapy (OT) services. In 2007, the therapy cap on reimbursement is $1,780 for PT and speech therapy. A separate cap of $1,780 applies to OT services. This cap severely limits access to necessary therapies that people living with MS use on a routine basis.

The therapy cap went into effect on January 1, 2007, as a result of many delayed implementation tactics used by Congress in 1999, 2000, and 2003. Originally conceptualized and signed into law in 1997 as a part of the Balanced Budget Act, the therapy cap was designed to save resources under the Medicare program.
The therapy cap concept was based solely on cost savings — not on data, quality of care concerns, or sound clinical judgment. Many studies have shown that rather than saving costs to the Medicare program, the cap merely shifts costs of rehabilitation into more costly settings, such as inpatient facilities.

Once Congress chose to let the therapy cap moratorium expire, it also instituted an exceptions process that allows Medicare beneficiaries to apply for therapy services above the therapy cap. This exceptions process is set to expire on December 31, 2007. Without Congressional action, the therapy cap, without any exceptions process, will be back in place on January 1, 2008.

**Request:** The Medicare Access to Rehabilitation Services Act (H.R. 748/S. 450) seeks to fully repeal the Medicare therapy cap. By eliminating the therapy cap altogether, Medicare beneficiaries will again receive the appropriate therapy services in the appropriate outpatient setting. Contact your Senators and Representative and ask them to support H.R. 748 and S. 450.