

Advocacy Update  
Week of September 28, 2020

**Last Week in Review**

- The House passed a Continuing Resolution to extend government funding until December 11, 2020.
- Senate Telehealth Caucus co-chairs Brian Schatz (D-HI), Roger Wicker (R-MS), and Cindy Hyde-Smith (R-MS), as well as Sen. Marsha Blackburn (R-TN) cosponsored S. 4375, the Telehealth Modernization Act, legislation introduced by HELP chairman Lamar Alexander (R-TN), this gives HHS permanent authority to determine providers that are eligible to be reimbursed for telehealth services under Medicare.

**Schools Notes**

- ASHA staff participated in calls with the education Legislative Assistants (LAs) for 9 Senate HELP offices; to discuss ASHA schools' priorities for future COVID-19 relief legislation.
- The Department of Education held a panel on successful strategies to reopen schools this fall. The panel included Secretary Betsy DeVos, Assistant Secretary of Elementary and Secondary Education Frank Brogan, and various K-12 education system leaders, including charter and private school systems.

**Health Care Notes**

- ASHA staff participated in an E/M coalition call with the Health Policy Advisor in the office of Senate Majority Leader Mitch McConnell (R-KY). Staff was familiar with the issue and anticipated it could get resolved in December, but was not in support of waiving budget neutrality and wanted to know how a resolution would be paid for.
- ASHA staff participated in the Alliance for Connected Care's advisory board call. The Alliance provided legislative updates on telehealth and discussed telehealth-related comments for submission to CMS in response to the calendar year 2021 Medicare Physician Fee Schedule proposed rule.

- This week ASHA will submit our comments regarding the Medicare Physician Fee Schedule proposed rule for 2021. ASHA's comments oppose proposed sweeping payment reductions that could reduce payments for audiologists and SLPs by 6 to 8 % respectively in 2021. ASHA continues to seek opportunities to advocate to stop the cuts with both the Centers for Medicare and Medicaid services as well as Congress.
- On Tuesday September 29, ASHA, AOTA and APTA staff will meet again with CMS officials to share our concerns and recommendations to mitigate proposed payment cuts to the Medicare fee schedule for 2021. Our primary request is for CMS to use its authority during the public health emergency to halt any new regulations that will slow or threaten the country's economic recovery.
- ASHA worked successfully with the Coalition to Preserve Rehabilitation (CPR) to circulate a sign on letter to recruit consumer advocacy organizations to sign-on to a letter to CMS urging the expansion of Medicare telehealth coverage to include a range of speech, language, hearing, balance, cognition and swallowing codes currently excluded from Medicare coverage.

### **Professional Practice/Workforce Notes**

- ASHA is developing an informational considerations document on serving students via Telepractice across state lines as well as internationally.

### **Political Notes**

- ASHA staff participated in a group fundraising call for Rep. Cathy McMorris Rodgers (R-WA), a senior member of the House Energy and Commerce Committee, who is seeking to become the committee's Republican leader next Congress.

### **Member Advocacy**

- ASHA staff worked with NSSLHA to launch Student Advocacy Day on September 24<sup>th</sup>, encouraging student advocates to write letters to Congress on issues related to COVID-19 response legislation and promote workforce diversity in health professions



# Advocacy Update

Week of October 5, 2020

## Last Week in Review

- The Senate passed and the President signed a Continuing Resolution to extend government funding until December 11, 2020.
- The House passed a revised version of the HEROES Act.

## School Notes

- ASHA staff met with staff for Senators Maggie Hassan (O-NH) and Tina Smith (D-MN) to discuss ASHA's education priorities for a future COVID relief package.
- ASHA staff met with policy staff from the Learning Disabilities Association of America to discuss their new Public Policy Agenda, as well as shared areas of interest in school policy.

## Health Care Notes

- ASHA staff participated in multiple calls of E/M coalition leaders, along with APTA and AOTA, to discuss alternative legislative options to address impending Medicare cuts to reimbursement for audiology and speech-language pathology services.
- ASHA submitted extensive comments to the Centers for Medicare & Medicaid Services (CMS) this week regarding the 2021 Medicare Physician Fee Schedule (PFS) Proposed Rule. ASHA's wide ranging comments discussed a host of issues critical to audiologists and SLP; most noteworthy aspects of the comments included support for expanded telehealth coverage under Medicare and opposition to proposed Medicare payment cuts as a result of increases to certain physician-billed evaluation and management codes.

## Professional Practice/Workforce Notes

- ASHA Student Advocacy grant applications are now open. A \$1,000.00 grant is available to state associations interested in developing or increasing student participation in state advocacy day or related state advocacy activities. For more information visit: <http://www.asha.org/Advocacy/stateleaders/Student-Advocacy-Grants/>. Applications are due October 13, 2020.

## **Member Advocacy**

- In addition to ASHA's official response to CMS regarding the 2021 MPFS proposed rule, GAPP staff also circulated a petition-style sign-on letter to CMS from ASHA members encouraging broader access to audiology and speech-language pathology services provided via telehealth and that opposed the proposed 2021 fee schedule cuts ASHA members working with Medicare patients would face if implemented on January 1, 2021.

**Advocacy Update**  
Week of October 19<sup>th</sup>, 2020

**The Week Ahead**

- Representatives Mikie Sherrill (D-NJ) and David McKinley (R-WV) are expected to introduce legislation to provide permanent authority for audiologists, speech language pathologists, physical therapists, and occupational therapists to provide telehealth services under Medicare.
- The House is not in session until after the election.

**Schools Notes**

- ASHA staff reviewed a draft of the Save Teachers' Jobs Act, this would provide funding for education professionals including SLPs and educational audiologists, that is being prepared by Representative Jahana Hayes (D-CT) and the House Education & Labor Committee.

**Health Care Notes**

- ASHA staff participated in a call of E/M coalition leaders, along with APTA and AOTA, to discuss alternative legislative options to address impending Medicare cuts to reimbursement for audiology and speech-language pathology services.
- ASHA staff facilitated a call with AAA and ADA to discuss an upcoming briefing for congressional staff on the Medicare Audiologist Access and Services Act.
- Last week, the Centers for Medicare & Medicaid Services (CMS) issued an update to their Public Health Emergency (PHE) Telehealth Coverage List for the first time since April. Unfortunately none of ASHA's recommended codes were added to the list but the only additions made by CMS were remote device monitoring codes applicable to cardiac related devices.

**Professional Practice/Workforce Notes**

- ASHA staff provided testimony to the IA licensure board on a proposed rule to eliminate the 16 hour in-person CEU requirement and to propose elimination of a post-test requirement. ASHA recommended a learning assessment and/or a certificate of completion. ASHA noted that very few other states require a post test and ASHA CEU providers must include an assessment of learning so that the professional can demonstrate knowledge of the learner outcomes. Following discussion, the board agreed to eliminate the in person CEU requirement but retained the post-test. According to the board attorney, most other IA boards require a post-test. ASHA and ISHA who also testified may consider renewing concerns about a CEU post-test in the coming year.

**Political Notes**

- ASHA staff participated in a one on one fundraising call for Representative Jared Huffman (D-CA), the sponsor of the IDEA Full Funding Act (H.R. 1878).