

# APTA Maryland

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January 27, 2021

The Honorable Delores Kelley, Chair  
Senate Finance Committee  
3 East, Miller Senate Office Building  
11 Bladen Street  
Annapolis, Maryland 21401

## **RE: Senate Bill 3 – Preserve Telehealth Act of 2021 - SUPPORT**

### **Senate Bill 393 - Maryland Medical Assistance Program and Health Insurance - Coverage and Reimbursement of Telehealth Services**

Dear Chair Kelley,

The American Physical Therapy Association Maryland is writing to register our strong support of Senate Bill 3 and Senate Bill 393

Among the provisions of SB3 and SB393, it makes clarifications to the State Medicaid program by broadly defining where patients can be cared for via telehealth including in their homes and will also allow for audio only communication. The bill additionally requires commercial

### **Telehealth and Implications for Physical Therapy Practice**

The COVID-19 pandemic has forced health care providers and payers to reconsider how care is delivered in order to reduce the risk of further spreading infection. Access to telehealth has become of paramount importance to ensure the safety of patients and their physical therapy providers. For the duration of this public health emergency, states and many private payers have created telehealth policies that have ensured access to the health care, including physical therapy, that patients need.

While telehealth has played a crucial role in providing needed care during the pandemic, it has become increasingly clear that its many benefits can be utilized well beyond the immediate COVID-19 health emergency. For patients who have difficulty leaving their homes without assistance, have underlying health conditions, lack transportation, or would need to travel long distances, the ability to access physical therapy via telehealth greatly reduces the burden on the patient and family when accessing care.

Telehealth is particularly well-suited for physical therapy, especially when used as an enhancement to services rather than exclusively as a replacement. Education and home exercise programs, including those focused on falls prevention, function particularly well with telehealth because the physical therapist is able to evaluate and treat the patient within the real-life context of their home environment, which is not easily replicable in

the clinic. Patient and caregiver self-efficacy are inherent goals of care provided by physical therapists. A patient's and/or caregiver's ability to interact in their own environment with a therapist when they are facing a challenge, rather than waiting for the next appointment, can be invaluable in supporting the adoption of effective strategies to improve function, enhance safety, and promote engagement.

### **Payment Parity**

Payment parity for telehealth is critical, for several reasons. First, most of the cost of a service is attributed to the work relative value unit (RVU) of the Current Procedural Terminology (CPT®) code. Accordingly, the work RVU does not change when care is delivered via telehealth. Second, the practice expense may actually be higher when providing care via telehealth. Although a provider may offer some services via telecommunications technology, they most likely **also** are continuing to provide in-person care in an office. Delivering care via telecommunications technology requires an ongoing investment in technology, IT support, HIPAA-compliant telehealth platforms, and more. Accordingly, the practice expense for telehealth is higher in many instances. Third, liability and malpractice risks are similar to those for in-person services — and may even incur additional costs. For instance, some liability insurers will require providers to purchase a supplemental telehealth insurance policy.

**APTA Maryland supports legislation or regulations that would PERMANENTLY allow all physical therapy providers to use telehealth as well as require coverage and reimbursement under Medicaid, Worker's Compensation, and commercial plans to the same extent as for physical therapist services furnished in-person.**

**For the reasons noted above we ask for a favorable report on Senate Bill 3 and Senate Bill 393.**

Sincerely,

A handwritten signature in black ink that reads "Kevin Platt". The signature is fluid and cursive, with a large, stylized initial "K" and "P".

Kevin Platt, PT, DPT, MBA  
President, APTA Maryland