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A Chapter of the American Physical Therapy Association

December 27, 2017

Stephen C.F. McDavitt PT, DPT, FAAOMPT, FAPTA
President
APTA Orthopaedic Section
2920 East Ave S Ste 200
La Crosse, WI 54601

Dear Dr. McDavitt,

Thank you again for the generous advocacy grant we received from the Orthopaedic Section late last year.

This report is our final update to the section regarding our chapter's 2017 legislative efforts.

Since we reported to you last May, we've been working on several legislative issues, all of which are still top priorities.

Modernizing the Assistive Personnel Statute

After our membership voted in October 2016 to look into increasing the number of assistive personnel that could be supervised by a PT, our Legislative Committee formed a task force that began to interview stakeholders about the current language in the law and where it could be improved. By August of 2017, the task force came up with draft changes to the statute that increased the number of assistive personnel that could be supervised from two to three and that further defined what an aide could and could not do.

Fast forward through conversations with our members at our October membership meeting and via email and our website and we've come up with bill language that we think addresses all (or most) of the concerns brought up by members and that will be introduced during the 2018 legislative session.

Pursuing Prior Authorization Improvements

Prior authorization by third party administrator eviCore for much of the care provided to our patients has become an enormous impediment to providing that care in terms of delayed or unapproved care and in terms of administrative burden. Legislators and other provider groups share our opposition to the current state of affairs and a process was put in motion last spring that will result in two bills being introduced in the 2018 legislative session. One bill alters prior authorization, so that it may not be required for fewer than 12 visits. The other bill requires third party benefit managers, like eviCore, to register with the Washington State Office of the Insurance Commissioner so there is some level of regulation over their operations. Getting these bills passed will be a heavy lift but will be done in conjunction with other healthcare provider groups including the chiropractic and acupuncture associations.

Dry Needling

Our final priority issue, which will likely not result in legislation during the 2018 session, has still experienced significant movement since we last reported about progress.

Right after the 2017 legislative session ended last spring, when we were ready to jump on negotiating with the Washington East Asian Medicine Association to draft bill

language, we had the idea to use a dispute resolution process at the beginning of our negotiations to shortcut the process. When we'd negotiated with the chiropractic association about spinal manipulation, we had employed the services of a dispute resolution group that specializes in policy disputes – but after seven years of haggling. Long story short, WEAMA initially agreed to participate in this process. Getting answers from them about aspects of the mediation took some time and we were not able to come to the table before the legislative session begins on January 8, 2018. The dispute resolution center gave them a deadline of Dec. 15 to commit to a date in May to come to the table. They accepted. Another wrinkle in this saga is that WEAMA was considering introducing legislation during the 2018 session that would have added the words “trigger point” to their scope of practice statute. They agreed not to bring this forward after discussions between our lobbyists, if they had done so, we would have introduced our dry needling bill despite the postponement of the intended work with the dispute resolution center.

We will hold our annual Physical Therapy Legislative Advocacy Day in Olympia on Thursday, January 25, 2018. We're estimating that 200-300 of our members will attend.

As of Dec. 21, 2017, we've spent \$73,627.59 on advocacy expenses for the year, including legislative day expenses, expenses to contract with our lobbyist, teleconferencing expenses and travel expenses for members to attend the APTA State Policy and Payment Forum.

Again, thank you for the grant to support our legislative efforts in 2017. Please feel free to contact me if you have further questions.

Sincerely,

A handwritten signature in blue ink that reads "Robin L. Schoenfeld PT, DPT, OMT". The signature is fluid and cursive, with the last name being the most prominent part.

Robin L. Schoenfeld, PT, DPT, OMT
Vice President PTWA
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