



[Submitted Electronically]

September 6, 2019

Re: Legislation to Reform the Use of Prior Authorization in Medicare Advantage

Dear Member of Congress:

The undersigned members of the Steering Committee of the Coalition to Preserve Rehabilitation (CPR) write to express our support for H.R. 3107, the *Improving Seniors' Timely Access to Care Act*, recently introduced by Reps. Suzan DelBene (D-WA), Mike Kelly (R-PA), Roger Marshall, MD (R-KS), and Ami Bera, MD (D-CA). This bipartisan legislation would help protect patients, including those in need of rehabilitative care, from unnecessary delays in care by introducing reforms to the use of prior authorization in the Medicare Advantage (MA) program. The bill would streamline and standardize prior authorization in many situations and provide much-needed transparency for rehabilitation patients in the program. We ask you to join your colleagues in supporting this important legislation.

CPR is a coalition of national consumer, clinician, and membership organizations that advocate for policies to ensure access to rehabilitative care so that individuals with injuries, illnesses, disabilities, and chronic conditions may regain and/or maintain their maximum level of health and independent function. CPR is comprised of organizations that represent beneficiaries who are frequently inappropriately denied access to rehabilitative care in a variety of settings, as well as the providers who serve them.

Medicare Advantage served more than 20 million Medicare beneficiaries in 2018 comprising 33 percent of the total Medicare population, according to MedPAC. MA plans were paid approximately \$233 billion in this same year. By 2028, MedPAC estimates that 32 million beneficiaries will participate in the MA program. The fast pace of growth of this program suggests the need for greater scrutiny of the mechanisms imposed by these plans to manage service utilization, such as prior authorization.

CPR has expressed concerns in the past that prior authorization and other similar practices used by MA plans are too often barriers to accessing needed care, particularly inpatient and outpatient rehabilitation services and devices, for beneficiaries nationwide. In April 2018, CPR [sent a letter](#) outlining these concerns to CMS Administrator Seema Verma, and supported efforts led by Reps. Phil Roe and Ami Bera to encourage CMS to improve the use of prior authorization in MA.

We believe that the *Improving Seniors' Timely Access to Care Act* is an important step forward in beginning to reform the overuse of prior authorization in the MA program and reducing the frequency of inappropriately delayed or denied rehabilitative care. The legislation is based on a consensus statement on prior authorization reform developed by leading national organizations representing physicians, medical groups, hospitals, pharmacists, and health plans, and would facilitate electronic prior authorization, improve transparency for beneficiaries and providers alike, and increase CMS oversight of how MA plans use prior authorization.

As more enrollees, especially seniors and individuals in need of rehabilitative care, choose Medicare Advantage for their health insurance needs, it is critical that prior authorization does not serve as a barrier to access for medically necessary care. We hope that enacting this legislation will serve as a first step towards reducing overreliance on prior authorization. We will continue to advocate for further reforms to prior authorization and to the Medicare Advantage program in order to ensure access to medically appropriate rehabilitative care for beneficiaries. Ongoing work is needed to truly meet patient needs; we support this bill as a step forward in these efforts.

We are committed to advancing this legislation in Congress and enacting crucial reforms to prior authorization in Medicare Advantage. We encourage you to join Representatives DelBene, Kelly, Marshall, and Bera in co-sponsoring H.R. 3107 and securing its passage into law.

For more information on H.R. 3107, and to cosponsor this important legislation, please contact Kyle Hill (Kyle.Hill@mail.house.gov) in Representative DelBene's office or Charlotte Pineda (Charlotte.Pineda@mail.house.gov) in Representative Marshall's office.

If you have any additional questions, please contact Peter Thomas, CPR coordinator, at Peter.Thomas@powerslaw.com or by phone at 202-466-6550.

Sincerely,

The Undersigned Members of the Steering Committee of the Coalition to Preserve Rehabilitation

Brain Injury Association of America
Center for Medicare Advocacy
Christopher and Dana Reeve Foundation
Falling Forward Foundation
National Multiple Sclerosis Society
United Spinal Association