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March 24, 2023

Lisa Larson, Director of Hearings
Maryland Insurance Administration
200 St. Paul Place, Suite 2700
Baltimore, Maryland 21202

VIA EMAIL: insurancereview.mia@maryland.gov

**RE: Notice of Proposed Action - 31.10.44 Network Adequacy
MARYLAND REGISTER, VOLUME 50, ISSUE 4, FRIDAY, FEBRUARY 24, 2023**

On behalf of The Maryland Chapter of the American Physical Therapy Association (APTA Maryland) we thank the Maryland Insurance Administration (MIA) for opening a thorough review and discussion of Maryland network adequacy regulations. We have reviewed the Proposed regulations for public comment and appreciate the opportunity to provide additional comments in this process.

APTA Maryland represents over 1,900 physical therapists and physical therapist assistants in the State. Physical therapists provide essential services in today's health care delivery system. This includes but is not limited to addressing chronic and acute pain through non-pharmacological methods decreasing the reliance on opioid medications; improving recovery times that reduces reoccurrence of injury and disease, and ultimately hospital readmissions; and developing and managing essential rehabilitation programs for survivors of COVID-19. PTs work to improve outcomes which lead to long-term cost savings.

We appreciate the recognition and consideration of our recommendations and suggestions offered in our earlier letters. The inclusion of physical therapists as a specified provider that must be accounted for by carriers is an important step forward. We support the language included in the proposed regulations:

Section .05 Travel Distance Standards.

.... "A.(4) All other providers and facility types included on the carrier's provider panel but not listed in the chart A(5) of this regulation, including *physical therapists*, and licensed dietitian-nutritionists, shall individually be required to meet maximum distance standards of 15 miles for Urban Areas, 40 miles for Suburban Areas, and 90 miles for Rural Areas."

.... "B.(4) All other providers and facility types included on the carrier's provider panel but not listed in the chart A(5) of this regulation, including *physical therapists*, and licensed dietitian-nutritionists, shall individually be required to meet maximum distance standards of 20 miles for Urban Areas, 40 miles for Suburban Areas, and 90 miles for Rural Areas."

We support the inclusion of this language as an important tool to ensure a sufficient number of physical therapists are available in carrier networks. We do request clarification for the difference in travel distance standard for urban areas from 15 miles in Section 05 A. and 20 miles in Section 05 B.

Telehealth and Implications for Physical Therapy Practice

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 an office setting.

However, we urge the MIA to closely monitor carrier utilization of the Telehealth credit system as laid out in the proposed regulations. It is important to ensure such systems do not disincentivize carriers from contracting with in person providers, and that telehealth be a voluntary option for the patient regardless of the situation. Telehealth’s value and convenience for patients should not become a hurdle or barrier for in-person care.

Thank you for your consideration of our comments and recommendations above. We continue to stand ready to work with the MIA to improve not only the network adequacy regulations, but the broader landscape between provider and insurer to the benefit of our patients and the citizens of Maryland.

Sincerely,

J. D. Sheppard

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President, APTA Maryland

Michelle Jamin

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For additional information please contact: Brocato & Shattuck Consulting at 410-269-1503 or barbara@bmbassoc.com