

Eli's Rehab Report

News Briefs: Legislation: SCHIP Gets the Ax, Major Medicare Cut Looms

Rehab providers and advocates who were watching the controversial SCHIP legislation as it made its way through Congress this fall won't see this bill signed into law any time soon. And the chances of providers averting a 15 percent Medicare cut (spread across 2008 and 2009) just got a lot slimmer.

To agree on a consensus bill with the Senate, the House of Representatives dropped CMS' provisions from its children's health bill -- which included a freeze to further cuts in the physician fee schedule, as well as a two-year extension of the therapy cap exceptions process, according to Capitol Hill insiders. And as promised, President Bush vetoed the SCHIP bill, and House Democrats were unable to override the veto.

Current outlook: Hopefully Congress will drum up something else before the end of the year to pass a separate Medicare bill that prevents the 10 percent cut scheduled for 2008. The legislative calendar is fast running out, and if Congress doesn't address this year the additional 5 percent cut scheduled for 2009, providers can't count on Congress passing a fix in 2008, an election year, experts say.

Plus, the therapy cap exceptions process is scheduled to expire this December unless Congress takes action. But some recent advocacy offers a ray of hope: On Nov. 1, Sen. John Ensign (R-Nev.) and Rep. Xavier Becerra (D-Calif.) called on Congress to enact legislation abolishing the outpatient Medicare therapy caps before the caps take effect at the end of this year, according to a press release from the American Physical Therapy Association.

Best bet: Stay in close contact with your respective professional associations, ASHA, AOTA and APTA, because they have their finger on the pulse of this issue and are asking for your help to join their advocacy.