

April 10, 2023

LD 1383 An Act to Regulate Insurance Carrier Prior Authorization Requirements for Physical and Occupational Therapy Services

In Support

The Maine Occupational Therapy Association (MEOTA) represents occupational therapy practitioners who are members of the organization. This bill will allow practitioners to determine the number of visits required based on client needs. Typically, the number of visits needed for Occupational Therapy can only be determined after an evaluation that looks at multiple factors including all biological, psychological, and social influences involved. Having to obtain prior authorization for services before an evaluation is complete is leaving the determination of need to an individual who does not have the data needed to make that decision. It is impossible to tell if a client is in need of services based solely on history or medical diagnosis.

As licensed professionals, it is our responsibility to determine the level of care required based on an evaluation. There are multiple of levels of service that can be provided based on the client need ranging from a single visit to include evaluation and education all the way up to recommending therapy five times a week for several months.

This bill is prohibiting prior authorization in two specific cases. The first stops prior authorization for the first 12 visits of rehabilitation or habilitation services. It will limit the number of times that re-authorization can occur to every six visits or 30 days, whichever is longer, after these 12 visits for the same episode of care. Additionally, a carrier would not be able to require prior authorization for individuals who experience chronic pain for the first 90 days after diagnosis and re-authorization every 6 visits or 30 days.

With these limits, the therapist will spend less time completing administrative functions including submitting evaluations and other documentation to verify the need for services. The time not spent completing the administrative functions will increase the number of clients seen. This will have multiple benefits for all involved including additional clients receiving services reduced wait lists and times, increased revenue that would cover the cost of overhead.

Another benefit of this bill is the response time required for authorization and additional information requests. There are times that authorization is requested and it can take up to a week to get approvals. In that time, a client cannot be seen for therapy, which can cause the condition to worsen to the point that they may need a higher level of care. This bill is asking that a carrier respond to a request within 24 hours of receipt. This will ensure that individuals are able to receive medically necessary services in a timely manner.

In summary, this bill will improve the access to rehabilitation services to all individuals in Maine.

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