



Senator Sanborn, Representative Tepler and Honorable Members of the HCIFS Committee:

My name is Gwen Simons. I am the lobbyist for the Maine Chapter of the American Physical Therapy Association. I am a physical therapist myself and a healthcare lawyer in Scarborough. The Maine APTA represents over 2500 physical therapists (PTs) and physical therapist assistants (PTAs) in Maine.

We are in support of LD 945, An Act Regarding Notice by Health Insurance Carriers of Policy Changes. Carriers and PPOs frequently announce policy changes in their monthly electronic newsletters that materially impact a provider's rights and obligations, including but not limited to introducing new pre-authorization requirements, implementing fee schedule cuts and changing timely filing deadlines. When such policy changes are imbedded in a monthly electronic newsletter, they are not noticed, which results in the provider ultimately being financially harmed. This bill will at least ensure the provider is personally notified of contractual and policy amendments by a more reliable method. We would like the bill to also require the written notice to be sent certified mail. Otherwise, carriers can claim, without proof, they sent the notice.

All of that said, we wish the bill could go farther. The truth is insurance carriers have all the market power. Whether they are required to give a 60-day written notice or not, they will force their amendment on providers with a 'take it or leave it' attitude. They are squeezing private practice providers from every angle – with reimbursement reductions, recoupments and inappropriate denials. Some have even started establishing *extraordinary* documentation requirements so they have a technical excuse to deny claims.

All of these problems are resulting in private physical therapy practices closing down or selling to hospitals or large corporations. Start-up PT practices are choosing to stay out of network. The consumer ultimately loses when they can't access these low-cost private practitioners.

In summary, we encourage you to vote ought to pass on LD 945 with an amendment that requires notice to be sent by certified mail and appreciate your support for all bills that help private practitioners stay in business.

If we can help you by providing additional information, please feel free to contact me at gwen@simonsassociateslaw.com or 207-883-7225.

A handwritten signature in cursive script that reads "Gwen Simons, Esq., PT, OCS, FAAOMPT".

Gwen Simons, Esq, PT, OCS, FAAOMPT
Lobbyist, Maine Chapter APTA