Last year, the practice act for physical therapy and athletic training (Title 24, Chapter 26) was selected for Sunset Review by the Division of Professional Regulations. It has been 22 years since our practice act had been up for review. In anticipation for this event, the Physical Therapy Examining Board spent the past 2 years updating and modernizing our practice act to effectively portray our current physical therapy practice. In May 2013, the Examining Board shared the new language with parties of interest. The Delaware Physical Therapy Association (DPTA) spent last summer working with athletic trainers to clarify the definition of “Athletic Training.” During the Joint Sunset Committee Hearing on April 16, 2014, we heard opposition from acupuncturists regarding the addition of “dry needling” to the definition of physical therapy. In addition, the Medical Society was not happy with our definition of wound care, despite the fact that physical therapists have been providing wound care in Delaware since World War II. The Joint Sunset Hearing was successful, as the proposed language was accepted without amendment and sent to the House Sunset Committee for review. At that point, we began to experience strong opposition from acupuncturists regarding the addition of “dry needling” to the definition of physical therapy. The Division of Professional Regulations communicated with each of the parties of interest, resulting in the drafting of 4 new amendments. The DPTA agreed with the amendments and House Bill 359 was heard on the floor and unanimously passed 39 to 1. The bill was sent to the Senate and directed to a Senate Executive Committee, but never made it to the Senate Sunset Committee. On July 1, 2014, the last day of the session, House Bill 359 was heard on the Senate floor and passed at 12:30 am.

I would like to thank the Division of Professional Regulations, specifically the Examining Board, for taking the time to modernize the statute. Despite all of the opposition, they held strong. Justin Elliott, director of State Government Affairs at APTA, provided a wealth of information and a testimony at the Joint Sunset Committee meeting. In addition, we urged DPTA membership to make contact with their representatives, which resulted in almost 200 letters! Dating back to January, we were fortunate to have 6 members devoting their time and effort to meeting with the legislators in order to ensure there was an understanding of the issues and that propaganda held no sway in the process.

As president of the Delaware Physical Therapy Association, it gives me great pleasure to announce House Bill 359 being passed. Delaware now has the most modern physical therapy practice act in the country. Once Governor Jack Markell signs the bill, please take some time to familiarize yourself with the many changes in the new statute.

Have a great summer!
Full implementation of the Physical Medicine Management Program (PMMP) took place July 1, 2014. The Payer Relations Committee wants to hear your experiences. Please write us at Delaware@apta.org to share your thoughts.

**UNITEDHEALTHCARE IMPLEMENTS FUNCTIONAL LIMITATION REPORTING**

UnitedHealthcare announced in its *May bulletin* (on page 46) that the Medicare outpatient therapy functional limitation reporting requirement would apply to UnitedHealthcare Medicare Advantage plans beginning August 1. This methodology is not applicable to per diem agreements.

Contracted physical therapists will be required to use G-codes and severity/complexity modifiers on claims with dates of service on or after August 1, 2014. Claims that do not include the appropriate G-code and modifiers will be rejected.

APTA has a functional limitation reporting webpage that provides resources to help members meet this reporting requirement. In addition, APTA is drafting a letter to UnitedHealthcare regarding planned implementation, citing the significant problems that occurred with Medicare’s implementation attempt, as well as the limitations of the data collected.
COMPONENT ADVOCACY NEWS AND TIPS

NEW JERSEY CHAPTER PRIOR AUTHORIZATION SUCCESS

After years of working closely with Horizon Blue Cross Blue Shield of New Jersey, the largest health insurer in the state, the American Physical Therapy New Jersey Chapter (APTANJ) was informed that Horizon has improved its prior authorization process for outpatient physical and occupational therapy services.

In most cases, the first 12 visits of outpatient physical or occupational therapy services will be authorized after Horizon receives the initial claim from a participating physical therapist (PT) or occupational therapist (OT). PTs/OTs will no longer need to obtain a prior authorization for the initial 12 visits of physical therapy or occupational therapy services. Providers still need to verify eligibility and benefits prior to initiating treatment.

Previously, Horizon required prior authorization after the first 6 visits. However, based on experience and data collected, APTANJ members knew that treatment for certain conditions warranted more than 6 visits. The former prior authorization process proved burdensome to both the PT/OT and patient. A prior authorization still must be obtained in the following situations:

- When other PT/OT services were authorized in the current calendar year (need to review annual benefit limits)
- Diagnosis-related temporomandibular joint (TMJ) disorders (need to review for benefit and medical necessity)
- Treatment for work-related injuries
- Patients under 19 years of age (review for medical necessity)
- Preexisting condition clause on the member’s policy (limited applicability under health care reform commencing in 2014)
- More than 12 visits required
- All services rendered from nonparticipating providers

PTs/OTs can check member eligibility and benefits by logging onto NaviNet.net. Claims processing and reimbursement for services are subject to member eligibility, all member and group benefits, limitations, and exclusions.

Contact Dennis Marco, APTANJ’s payer relations specialist, for additional information.

Ethics and Jurisprudence: Ethical Concerns in a Pediatric Population

What? This 4 hour course lead by Brigette Cuffia, PT, JD covers topics in ethics, ethical decision making, legal issues and jurisprudence for the physical therapist treating within the pediatric population.

CEUs? 4 hours of Continuing Education Credit!
- Completes your Delaware Ethics Requirements
- 2 BONUS hours of general CEU credits

When? September 13th, 2014

Where? Wilmington, DE

For more information or to register please visit our website, www.CareResourcesInc.com or call us at 1-888-613-2275
PAYER PAYMENT UPDATE CONT’D FROM PAGE 3
FROM GEORGE T. EDELMAN, PT, MPT, OCS, MTC

APTA RESOURCES

APTA LAUNCHES NEW RESOURCES ON SKILLED MAINTENANCE

APTA has launched a new webpage for information related to skilled maintenance. The page currently contains a podcast series on the implications of Jimmo v Sebelius, as well as legislative and regulatory activity related to the issue.

FEDERAL RESOURCES

CMS RELEASES ARTICLE DESCRIBING HOW TO USE MODIFIER 59

The MLN Matters’ Special Edition Article, “Proper Use of Modifier 59,” has been released. This article provides instruction on how to properly use Modifier 59 and includes background information to clarify the existing policy. Examples are provided that use Current Procedural Terminology (CPT), such as Example 9, which uses CPT codes 97140 (manual therapy techniques), and 97550 (therapeutic activities).

APTA FOR IMMEDIATE RELEASE

INTERMEDIATE PROVIDER TYPES AFFECTED

Note: This article was released. This article provides instruction on how to avoid the 2016 payment adjustment by meeting 1 of the following criteria during the 2014 reporting period (January 1–December 31):

- If participating as an individual eligible professional, meet the criteria for satisfactory reporting adopted for the 2014 PQRS incentive. Or, participate in PQRS via qualified clinical data registry, qualified registry, or claims reporting. Report at least 3 measures covering 1 National Quality Strategy (NQS) domain for at least 50% of your Medicare Part B fee-for-service (FFS) patients.

- If participating as a group practice, meet the group practice reporting option (GPRO) requirements for satisfactory reporting. Or, participate in PQRS through qualified registry reporting. Report at least 3 measures covering 1 NQS domain for at least 50% of your group practice’s Medicare Part B FFS patients.

NEW FACT SHEET AVAILABLE ON HOW TO AVOID THE 2016 PQRS PAYMENT ADJUSTMENT

Are you an eligible professional or part of a group practice participating in the Physician Quality Reporting System (PQRS) this year? If so, you must sufficiently report data on quality measures during 2014 in order to avoid the 2016 payment adjustment.

Review the new fact sheet for guidance on how to avoid the 2016 PQRS payment adjustment.

You can avoid the 2016 payment adjustment by meeting 1 of the following criteria during the 2014 reporting period (January 1–December 31):

- If participating as an individual eligible professional, meet the criteria for satisfactory reporting adopted for the 2014 PQRS incentive. Or, participate in PQRS via qualified clinical data registry, qualified registry, or claims reporting. Report at least 3 measures covering 1 National Quality Strategy (NQS) domain for at least 50% of your Medicare Part B fee-for-service (FFS) patients.

- If participating as a group practice, meet the group practice reporting option (GPRO) requirements for satisfactory reporting. Or, participate in PQRS through qualified registry reporting. Report at least 3 measures covering 1 NQS domain for at least 50% of your group practice’s Medicare Part B FFS patients.

PQRS PARTICIPANTS: NEW E-MAIL ADDRESS FOR QUALITYNET HELP DESK

Do you have questions about participating in the Physician Quality Reporting System (PQRS)? The QualityNet Help Desk is available to assist you, providing you with information and guidance on PQRS program information, portal password issues, feedback report access, PQRS registration questions, Individuals Authorized Access to the CMS Computer Services (IACS) questions, and PQRS/IACS login issues.

Hours: Monday–Friday, 7:00 am–7:00 pm, CT

Phone: 866/288-8912; TTY: 877/715-6222

E-mail: Qnetsupport@hcqis.org

Additional resources are available on the Educational Resources webpage to help you satisfactorily report your 2014 PQRS data.

CMS has added several new intermediate-level PQRS-related materials to eHealth University, which will help providers gather information regarding how to implement eHealth programs such as PQRS. The new materials include:

- Electronic Health Record (EHR) Reporting Made Simple: Outlines EHR-based reporting for 2014 PQRS participation for eligible individual professionals and group practices.
- Claims Reporting Made Simple: Describes claims-based reporting and outlines steps that eligible professionals should follow prior to participating.
- Qualified Clinical Data Registry (QCDR) Reporting Made Simple: Explains QCDR participation and provides guidelines for professionals when selecting a QCDR for the 2014 PQRS program year.
- Registry Reporting Made Simple: Describes registry-based reporting and provides individual professionals or group practices guidelines for selecting a registry to work with for the 2014 PQRS program year.
**NEWS FROM DELAWARE TECHNICAL COMMUNITY COLLEGE JACK F. OWENS CAMPUS**

On Tuesday, May 20, 2014, 12 students graduated from the physical therapist assistant (PTA) program at the Owens Campus. As we get ready for the fall semester, the PTA program students and faculty congratulate the graduates and wish them much success as they pursue their careers in physical therapy. Sixteen first-year students have been accepted to begin courses this fall, and 9 second-year students are returning to continue towards their goal of completing the program in May 2015.

Besides working hard on their studies this fall, the students will be participating in several extracurricular activities. On September 11, they will participate in Delaware Technical Community College (DTCC) Run, White, and Blue 5K to support our veterans, with all proceeds going to veteran scholarships. Additionally, students will participate in 2 walks for amyotrophic lateral sclerosis (ALS). One will take place in Rehoboth Beach, Delaware on September 13, and the other in Salisbury, Maryland on October 18. This will be the sixth year that Owens Campus students have participated to support this worthy cause.

On October 25, students will be assisting with the 17th Annual Distinguished Lecture Series event. This year, Terry Trundle will be presenting “Rotator Cuff Dysfunction: Including Primary & Secondary Impingement.” The students will help organize the event and will have a great opportunity to take in a wealth of information. If you would like to receive a brochure about this continuing education event at DTCC Owens Campus, visit www.dtcc.edu/owens/ccp or call 302/259-6630. The PTA program faculty and students are excited for the start of another year and look forward to working with our clinicians and community members.

**NEWS FROM DELAWARE UNIVERSITY OF DELAWARE DPT PROGRAM–CLASS OF 2014**

Greetings everyone! On behalf of the University of Delaware Physical Therapy Class of 2014, I would like to wish everyone a safe and enjoyable summer. Summer in Newark is an exciting time, as it marks the beginning of a class of new UDPT students. Summer in Newark is an exciting time, as it marks the beginning of a class of new UDPT students. It is my great pleasure to welcome the UDPT Class of 2016 to the family. We wish them all the best. They are the largest class ever admitted to our program and the first to know only the Science, Technology and Advanced Research (STAR) Campus in Newark as their home. With guidance from our world-class faculty and staff, as well as mentorship from the class of 2015, we know they are in good hands.

As for the Class of 2014, we have spread nationwide, participating in our first full-time affiliations since May. We are grateful for the guidance and generosity our clinical instructors coordinators of education have shown us throughout this experience, and we hope to display the same level of dedication and mentorship to our profession as we progress. We would like to thank all those who have contributed to our didactic education for preparing us so well for the final phase of our training.

**Jacob Holler, SPT**
President, UDPT DPT Class of 2014

On May 18, SPTAs from Delaware Technical Community College, SPTs from the University of Delaware, and members of the SSIG all volunteered their time at Preston’s March for Energy and Family Fun Day. As always, our students participated in a variety of areas in order to ensure a wonderful event. We thank all the students for their contagious enthusiasm and motivation during the 5k and Family Fun Day!

Read more about Preston’s March for Energy and the mission to promote mobility for children with special needs through the use of adaptive bicycles.

Warmest Wishes,

*The SSIG Board*
CHIEF DELEGATE’S UPDATE
FROM CATHY CIOLEK, PT, DPT, GCS

The 2014 House of Delegates took place in Charlotte, North Carolina from June 9-11. This year, the House had 23 motions it addressed, as well as elections for national office. Once again, it was exciting to serve as your chapter chief. Sadly, our second delegate, George Edelman, had to leave early in order to return to Delaware to manage the legislative efforts for our practice act. I am hopeful that Delaware will consider adding an alternate delegate in the future to guarantee 2 delegates get the chance to participate.

Several students in our class attended the NEXT Conference this past June. It was a great opportunity to learn about new advances in physical therapy as well as network with other students and physical therapists. The University of Delaware was recognized at the 2014 Foundation for Physical Therapy Gala for raising over $3,000 for the Miami-Marquette Challenge. This year, fundraising ideas are already taking off in a big way with our Rent-a-PT Fundraiser. With this, you can “rent” or hire University of Delaware Physical Therapy (UDPT) students to work on a weekend in exchange for a donation to the Miami-Marquette Challenge. This worked well last year, as students helped with yard work, painting, house cleaning, and other jobs for 2 of our professors. If you are in the Newark area and are interested in participating, please contact Nicholas Rech at nrech@udel.edu.

Nicholas Rech, SPT
President, UDPT
Class of 2015

Elections:
• Board of Directors: Matt Hyland (New York), Sheila Nicholson (Florida), Kathy Mairella (New Jersey)
• Treasurer: Elmer Platt (New Jersey)
• Speaker of the House: Sue Griffin (Wisconsin)
• Nominating Committee: Secili DeStefano (Virginia), Linda Eargle (Florida)

With bylaws and additional internal business issues to address, 2015 will be an interesting year. Also in 2015, we will be having elections for president, vice president, 3 directors, and a nominating committee. If you think you know someone who would qualify for these offices, consider submitting a Nominating Committee form available on the APTA website.

Sincerely,
Cathy Ciolek, PT, DPT, GCS

The Class of 2015 has reached a milestone in our physical therapy school journey with the start of the summer session. Our “ortho” class marks the transition for our class from first to second years. For many of us, this feels surreal, seeming at times during our first year that this day would never come. Today, we are all settling into our new roles, even welcoming the next class into the program with a welcome picnic.

With the end of our summer session in sight, another group of our classmates prepare for summer integrated clinical experiences (ICEs) in the Sports and Orthopedics (S&O) or neurological and older adult (NOA) sides of our clinic. They are excited to take all the skills we have been practicing this summer and put them to use on real patients. As always, the rest of the class is here to support them as we progress through our second year together.

Several students in our class attended the NEXT Conference this past June. It was a great opportunity to learn about new advances in physical therapy as well as network with other students and physical therapists. The University of Delaware was recognized at the 2014 Foundation for Physical Therapy Gala for raising over $3,000 for the Miami-Marquette Challenge. This year, fundraising ideas are already taking off in a big way with our Rent-a-PT Fundraiser. With this, you can “rent” or hire University of Delaware Physical Therapy (UDPT) students to work on a weekend in exchange for a donation to the Miami-Marquette Challenge. This worked well last year, as students helped with yard work, painting, house cleaning, and other jobs for 2 of our professors. If you are in the Newark area and are interested in participating, please contact Nicholas Rech at nrech@udel.edu.
This year has been an exciting and busy year from a legislative perspective, and my busiest so far as legislative chair. Most of my time was spent representing the DPTA on the governor’s Workers’ Compensation Task Force, the Department of Labor’s Office of Workers’ Compensation Health Care Advisory Panel (HCAP), and the Department of Insurance Data Collection Committee (DCC). The Department of Insurance approved average voluntary market loss cost and residual market rate increases of 12.6% and 18.3%, respectively in 2011, and in 2012, increases of 21.7% and 26.1%, respectively. The Delaware Compensation Rating Bureau (DCRB) proposed average increases of 38.52% in residual market rates and 41.75% in voluntary market loss. There was obviously great concern as tremendous pressure was placed on the Task Force and HCAP to greatly reduce medical costs (which account for 70% of system costs) in workers compensation. Working in conjunction, HCAP and the Task Force agreed to the following recommendations:

1. Heightened Oversight of Insurance Carriers: This will be achieved as the Data Collection Committee and the Health Care Advisory Panel are consolidated into a single committee called the Workers’ Compensation Oversight Panel. The new committee will consist of the existing members of the Health Care Advisory Panel, along with new members in order to guarantee representation from a range of participants, including those who previously served on the Data Collection Committee.

2. Stricter Controls on Medical Costs: The Task Force recommended a 33% reduction in medical fees while implementing the reduction in over a period of 3 years. Twenty percent of the reduction would occur immediately, 5% after 1 year, and 8% after 2 years. The relative contribution of savings by provider types is still being negotiated, but it appears physical therapists will contribute somewhere in the neighborhood of 10% to 12% over 3 years. While this may seem substantial, surgeons will be contributing in the neighborhood of 40% savings. Additionally, the Task Force also recommends that the maximum reimbursement for workers’ compensation treatment under any given code be no more than 200% of the Medicare reimbursement. Exceptions to this include radiology, for which maximum reimbursement should be no more than 250% of Medicare, and surgery, for which the maximum reimbursement should be no more than 300% of Medicare. Currently, physical therapy averages 189% of Medicare, but there are a number of codes that exceed 200%. Fortunately, the majority of these codes are passive modalities that are not heavily used in physical therapy, such as infrared and diathermy. Don’t hesitate to seek more information if you would like to see a detailed breakdown of the fees relative to the 200% Medicare cap.

All of these provisions were included in House Bill 373, which was passed in the House of Representatives on June 12 and the Senate on June 25, and was subsequently signed into law by Governor Markell.

There were other challenges to face, including Senate Bill 195, which would have allowed injured persons of motor vehicle collisions to direct the way in which personal injury protection benefits are administered. This could have created significant payment issues for therapists treating injuries from motor vehicle accidents, as money may be resigned to lost wages and therefore make it difficult to afford medical bills. This bill was killed after a collaborative effort by the Medical Society and the Chiropractic Association.

Finally, through combined efforts with the Physical Therapy Board, the Director of the Division of Professional Regulation, the Medical Society, and the Occupational Therapy Association, we were able to have our practice act approved. House Bill 359 passed after midnight on June 30. President George Edelman has highlighted the details of this significant accomplishment in his comments. Suffice it to say, this bill has taken a herculean effort on the parts of many, and I am grateful for their efforts to provide Delaware with the most progressive practice act in the nation.

Respectfully submitted,

Glenn P Brown, PT, ATC, MMSc, SC
DPTA MEMBERSHIP

HELLO FELLOW MEMBERS!
I hope you are enjoying your summer and the benefits of being a member of APTA. We are currently 490 members strong in the Delaware Chapter! There’s never been a more important time to be a member of the DPTA. We need the power of your voice in the regulatory and legislative arenas. Your APTA membership is an invaluable investment as it benefits your career and the future of your profession.

PLEASE PLAN ON ATTENDING THE FIRST DPTA PUB NIGHT IN SEPTEMBER!
DPTA is having a Pub Night, 1 Friday each month starting in September with happy hour specials for food and drinks. To provide the best chance for members to attend, we will include locations in all 3 Delaware counties. It will be a great opportunity to get out and relax, socialize, and network with other members. Bring your friends, coworkers, and non-member colleagues, and be sure to look for more details in an upcoming email. I hope to see you there!

I will be at the DPTA golf outing in August to answer any questions you may have regarding APTA membership. I encourage you to bring other colleagues, including non-members, to these events to reveal the benefits of being a DPTA member.

We welcome your input and opinions in the upcoming membership survey, which you will receive soon. Please add any additional comments or concerns you may want to address with the DPTA board members. We are here to serve you!

Have a great summer,
Kit Iffland, PT, DPT

CALL FOR NOMINATIONS
The Delaware Physical Therapy Association (DPTA) invites its members to answer the call for nominations for an elected position in the chapter. In order for our profession and chapter to meet the challenges of this ever-changing health care environment, members must be willing to give their time and talents to chapter activities. Our organization needs strong, proactive leaders to guide us through the changes. Please consider the following positions:

- President (2-year term)
- Secretary (2-year term)
- Nominating Committee Members (2 to be selected; staggered terms)
- PTA Caucus Representative (2-year term)

For a copy of the nomination form and to view position descriptions, visit the DPTA leadership page. Contact Stacie Larkin at delaware@apta.org with questions.

CALENDAR OF EVENTS

September 25, 2014:
DPTA Chapter Meeting,
ATI Physical Therapy,
Rehoboth Beach

October 25, 2014:
1-Day Educational Seminar,
University of Delaware,
STAR Campus, Room 232

November 5, 2014:
DPTA Chapter Meeting,
Del Tech Wilmington Campus

PLACE YOUR AD IN THE DPTA NEWSLETTER! Advertising inquiries should be made to Jamie Blackley at delaware@apta.org or 800/999-2782, ext 3159. Rates: halfpage, $175; fullpage, $300. Display ads must be camera ready. Extra fee charged if art is required. The DPTA Newsletter is available online at www.dptaonline.com, and it is published 3 times a year: April, July, and November. 