

# CMS SUMMARY

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## Issue: *Change of Billing Requirements for Medicare Physical Therapy Services*

**Background:** Lymphedema is a chronic swelling of the body which affects millions of Americans, most often as a result of cancer treatment when lymph nodes and vessels are surgically removed or damaged by radiation. Women after breast or cervical cancer are the largest group, but men after prostate cancer are also affected. A smaller number of people are born with the disease. There is no cure. Failure to control the swelling results in gradual enlargement of the affected area of the body, chronic infections which can be life-threatening, chronic pain, and inability to lift or use the affected part of the body. **Treatment** consists of a therapy called **manual lymph drainage (MLD)** in which lymph fluid is moved back toward the heart using a special massage technique, followed by **compression bandaging, exercise and skin care**. Together these protocols are known as **complete decongestive therapy (CDT)**.

**The Problem:** CMS released the final rule for the Medicare 2005 physician fee schedule on November 3, 2004. **The final rule does not allow billing for services when Nurses or massage therapists (MTs) perform CDT using manual therapy and bandaging codes for billing, even when they are supervised by a Physical or Occupational Therapist.**

The issues are as follows:

- 1) **Lymphedema Therapists (LTs)** must obtain special training which is not part of the usual training and licensing for any medical professional, including physical therapists (PTs).
- 2) Licensed medical personnel (including massage therapists) are eligible to sit for an exam to become certified by the **national certifying entity, the Lymphology Association of North America (LANA)**. **For the past 8 years Memorial Hermann hospital has provided exemplary care to Medicare beneficiaries utilizing LANA certified MTs.**
- 3) Because there is a **small workforce of qualified lymphedema therapists** available in the U.S., this Medicare Rule severely **restricts the availability of competent lymphedema services** to Medicare beneficiaries.
- 4) In Houston, all certified MLD therapists are massage therapists. Thus far, I am unable to find a single PT or PTA with MLD certification to provide care for my patients.
- 5) Houston is the 4<sup>th</sup> largest city in the U.S. and The Lymphedema Program at Hermann Hospital is the largest in the metroplex, providing the majority of lymphedema services for a population of over 3 million. **Because we are unable to find therapists who meet the Medicare criteria, we will no longer be able to provide MLD to our patients.**
- 6) Lack of qualified MLD therapists will **increase the complications of this disease (i.e., infections and hospitalizations) and thus the cost** to the Medicare system.
- 7) **In short, the individuals whom Medicare deems qualified are not trained, and those who are trained are deemed unqualified, even when acting under my direction as a physician one of the recognized authorities in the field of Lymphology.**

**The Result:** The result of this bill is to mandate the hiring of untrained PTAs to be supervised by PTs with no expertise in the field instead of a specialist Physician, while dismissing LANA certified therapists with 8 years of proven experience. **The result can only be a reduction in the quality of care to Medicare beneficiaries.**

**The Solution:** Amend this rule to allow LANA Certified Lymphedema Therapists to perform MLD services if supervised by a qualified Physician, Certified Physical Therapist or Occupational Therapist.